

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP No. 12168 of 2021

Decided on : 23.11.2021

Chandigarh Administration and others

... Petitioners

Versus

Central Administrative Tribunal, Chandigarh and another

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE VIKAS SURI**

Present: Ms. Madhu Dayal, Advocate,
for the petitioners-U.T. Chandigarh.

Mr. D.R. Sharma, Advocate for the respondents.

(The proceedings are being conducted through video
conferencing).

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition filed under Articles 226/227 of the Constitution of India is to the order dated 20.11.2020 (Annexure P-1) passed by the Central Administrative Tribunal in OA No.060/1212/2019.

A perusal of the order under challenge would go on to show that it was disposed of in terms of **OA No.60/267/2020 'Ranjit Singh and others Vs. Chandigarh Administration and others'** decided on 24.07.2020, which is appended with the paper-book as Annexure MA-1. The learned Tribunal relied upon the statement of the counsel for the respondents who had made a statement that the department had no objection to the disposal of the OA on the lines of **Ranjit Singh's case (supra)**. In view of the said statement, OA No.060/1212/2019 had been disposed of in terms of the said case.

Counsel for the petitioner-Administration has further stated that consequential benefits have also been directed to be paid, which was not the

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direction in **Ranjit Singh's case (supra)** and, therefore, it would have implications as such upon the Administration.

Keeping in view the fact that it was an order of concession, this Court is of the opinion that the argument that the matter should be heard alongwith **CWP No.15629 of 2020 'Ranjit Singh and others Vs. Central Administrative Tribunal and others'** is without any basis. The Administration has chosen not to challenge the said order and it is only the employees who are aggrieved in the said writ petition. Secondly, since there was concession made as such and it is for the Administration to approach the Tribunal itself and put forth its case that the concession was given in wrong terms and, therefore, the said order cannot be allowed to stand. Such a exercise can only be carried out before the Tribunal and it is not for this Court to go into the fact that as to whether the concession was given properly or not.

Accordingly, the present writ petition is disposed of with liberty to the petitioners to approach the Tribunal, before whom a contempt petition is also stated to be pending for enforcement of its orders.

(G.S. SANDHAWALIA)
JUDGE

November 23, 2021
Naveen

(VIKAS SURI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No