

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

COCP No.1538 of 2021 (O&M)

Date of Decision: 16.12.2021

Lal Chand and Ors.

.....Petitioners

Versus

Sh. Sarvjit Singh IAS and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Ranjivan Singh, Advocate for the petitioners.

Mrs. Anu Chatrath, Sr. Advocate with
Mr. Nishant Maini, Advocate for respondent No.2.

HARINDER SINGH SIDHU, J

Petitioners had filed CWP No.16691 of 2020 praying for quashing of Notification dated 20.06.2019 to the extent that it restricted their entitlement to arrears to a period of 38 months' prior to filing of the writ petition.

It was their contention that this Notification was contrary to the recent Notification dated 03.03.2020 issued by the Department of Finance whereby full arrears/all consequential benefits were directed to be paid to all those, whose cases were decided, in terms of judgment dated 20.05.2013 passed by this Court.

This Court vide order dated 13.01.2021 disposed of the said writ petition with a direction to the respondents to consider the petitioners' legal notice within a period of two months.

Alleging non-compliance of the directions, present contempt petition has been filed.

An affidavit dated 10.12.2021 of Sh. Vinay Bublani, Chief Administrator, Punjab Urban Planning and Development Authority (PUDA) has been filed on behalf of respondent No.2 wherein it is stated that legal notice dated 29.08.2020 of the petitioners has been considered and decided. A speaking order dated 27.07.2021 (R.2/I) has been passed whereby claim of the petitioners has been rejected. Thereafter, the matter was taken up with the Department of Finance and certain clarifications were sought. The Department of Finance issued Notification dated 01.11.2021 (R.2/III), as per which, the petitioners would be given benefit of 4/9/14 ACP scheme.

In view thereof, no further cause of action survives in the present petition and the same is disposed of giving liberty to the petitioners to avail of any other appropriate alternative remedy in regard to Notification dated 01.11.2021 (R.2/III), if still aggrieved.

The benefits due to the petitioners as per the Notification dated 01.11.2021 be released to them within a period of three months from today.

December 16, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No