

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

207

CWP-9754-2018 (O&M)

Date of decision: 15.12.2021

MITHILESH RATTAN AND ORS.

..Petitioners

Versus

STATE OF PUNJAB AND ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Raman Sharma, Advocate for the petitioners.
Ms. Deepali Puri, Addl. AG, Punjab.

ANIL KSHETARPAL, J (Oral)

After a period of three years, the respondents have taken with a stand that the Financial Commissioner, Department of Revenue, Rehabilitation and Disaster Management, Government of Punjab, has issued the instructions to all the Administrative Secretaries, Divisional Commissioner, Deputy Commissioners and Sub Divisional Magistrates to follow the instructions/clarification issued by Government of India on 26.10.2015.

Learned State counsel, on instructions from Mr. Harpinderjeet Singh, XEN, STAG-II, Hoshiarpur, has stated that in terms of the aforesaid instructions/clarification dated 30.11.2021, the compensation payable to the petitioners shall be required to be recalculated.

The learned State counsel undertakes, that the amount on recalculation shall be paid within a period of two months, positively, from today.

Keeping in view the aforesaid facts, the writ petition is disposed of in terms of the statement made.

The learned counsel for the petitioners submits that the officials are not likely to take any step therefore, the present writ petition be kept pending, until any payment by the authorities.

At this stage, there is no basis for the apprehension expressed by the petitioner. However, if the necessary order as directed, is not passed within the time frame allowed and the consequential payment is not made, the petitioners will have liberty to file an application for the revival of the writ petition. If such an application for revival is filed, the Principal Secretary of the Department shall be required to be present in the Court to explain the conduct of the department.

All the pending miscellaneous application(s), if any, are also disposed of.

15.12.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE