

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

CWP-1613-2019 (O & M)
Date of decision: 31.10.2022

Department of Education, Chandigarh Administration and others
....Petitioner(s)

Versus

Suman Sharma and others
....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Gaurav Mohunta, Advocate,
for the applicant-petitioners.

Mr. Ranjivan Singh, Advocate,
for the non-applicants/respondents.

G.S.SANDHAWALIA, J. (Oral)

CM-4340-CWP-2021

The present application has been filed for segregating the main case from the bunch of connected cases on the ground that the Chandigarh Administration has already granted the benefit of dearness allowance to the contractual employees at par with the regular counterparts as directed by the Central Administrative Tribunal, Chandigarh Bench vide the impugned order dated 16.07.2018 (Annexure P-1). It has also been averred that order dated 04.10.2019 (Annexure A-1) has also been passed in the contempt proceedings thereafter and, therefore, the matter has been rendered infructuous.

In the reply to the application filed, there is a contest as such regarding this factual aspect only regarding the date of payment. The affidavit of the then Director, School Education, Chandigarh Administration filed before the Tribunal has also been appended and a specific averment has

been made that they have been paid the dearness allowance at par with the

regular teachers w.e.f. 01.01.2016. The Tribunal has also disposed of the contempt petition on 04.10.2019 on the basis of the said affidavit.

In such circumstances, once this is the stand of the Administration itself that it has complied with the said order, we are of the considered opinion that the application is liable to be allowed.

Accordingly, the application is allowed. The present case is segregated from the bunch of connected petitions.

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Keeping in view the above, the writ petition is disposed of having been rendered infructuous in view of the stand taken by the Chandigarh Administration. In case the respondents have any dispute regarding the implementation of the decision of the Tribunal, they can approach the Tribunal for the redressal of the necessary grievances.

(G.S. SANDHAWALIA)
JUDGE

31.10.2022
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No