

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

CMs-2754-55-LPA-2022 in/and LPA-1134-2022 (O&M)

Date of decision : 20.12.2022

Centre for Research in Rural and Industrial Development and another
.....Appellants
Versus

Union of India and others
....Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sanjeev Sharma, Senior Advocate, with
Mr. Sandeep Singh, Advocate,
for the appellants.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

CM-2755-LPA-2022

For the reasons set out in the application, which is duly supported by an affidavit, delay of 50 days in re-filing the appeal is condoned.

Application is, accordingly, allowed.

CM-2754-LPA-2022

For the reasons set out in the application, which is duly supported by an affidavit, delay of 21 days in filing the appeal is condoned.

Application is, accordingly, allowed.

LPA-1134-2022 (O&M)

This appeal has been filed by the appellants being aggrieved by an order dated 19.07.2022, vide which the learned Single Bench had

restrained respondent No.3 in the writ petition [Centre for research in Rural Development (CRRID), Chandigarh] from spending any amount on anything, unless the salary of the petitioners was paid upto date; as also the order dated 10.08.2022, vide which an application (CM-12111-CWP-2022) moved by the appellants seeking modification of the order dated 19.07.2022 has since been dismissed.

It is pointed out by learned Senior counsel for the appellants that work of the appellants has come to a standstill in view of the interim order dated 19.07.2022 passed by the learned Single Bench and the application (CM-12111-CWP-2022) filed by the appellants, seeking modification of the said interim order, has also been dismissed. He submits that in such circumstances, as appellants are not able to perform any work, they are unable to earn any revenue and consequently, are not in a position to discharge their liabilities.

At this stage, it is pointed out that subsequent to passing of the aforesaid two orders dated 19.07.2022 and 10.08.2022, two other applicants, namely Shri Ashwani Kumar Sharma and Shri Ram Singh, who sought to be impleaded as respondents No.6 and 7 in the writ petition (CWP-15363-2022) by way of CM-19303-CWP-2022, filed another application (CM-19304-CWP-2022) seeking modification of the order dated 19.07.2022. This application was taken up by the learned Single Bench on 07.12.2022 and the notices issued therein were accepted by learned counsel for the respective parties, and as prayed for, they were granted time to seek instructions, and the said applications have been directed to be heard alongwith the main case on 27.01.2023.

In these circumstances, we deem it appropriate that whatever scheme or manner, in which the appellants seek to discharge their liability towards payment of salary to their permanent employees, may be placed before the learned Single Bench, when the matter is taken up on the applications filed by Shri Ashwani Kumar Sharma and Shri Ram Singh. The appellants may also file an application placing their scheme/ proposal before the learned Single Bench for payment of salary to their permanent employees which would be taken and considered on the next date of hearing i.e. 27.01.2023. The appellants would be at liberty to make a request before the learned Single Bench for any kind of relief or modification of the interim order dated 19.07.2022. We are sanguine that in case, they do so, the learned Single Bench shall consider the same and take a decision thereon in accordance with law.

Accordingly, the appeal stands disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

December 20, 2022
ndj

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No