

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.5933 of 2024 (O&M)

Date of Decision :13.03.2024

Indian Railway Welfare Organisation (IRWO)

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI
HON'BLE MR.JUSTICE VIKRAM AGGARWAL

Present : Mr. Aditya Jain, Advocate with
Mr. Kaanan Jain and Mr. Vinay Gupta, Advocates
for the petitioner.

Mr. Shekhar Verma, Addl.A.G. Punjab.

ARUN PALLI, J. (Oral):

The petitioner has prayed for the following substantive relief:

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the Respondents to take an immediate time bound decision in view of the Speaking Order, passed by the Respondent No.3 on 24.05.2023 Annexure-P3 communicated to the Petitioner vide Letter No. 755, dated: 30.05.2023 vide which the representation of the Petitioner was rejected which was submitted in pursuance to the orders passed by this Hon’ble High Court on 18.01.2023 in CWP-3456-2022 in a case titled as ‘Indian Railway Welfare Organisation vs State of Punjab and Others’ so that the Allotment of 44 EWS category Flats is done to the successful applicants as the project has already been by the petitioner way back in the year 2015 and respondents are lingering the matter on one pretext or other for the reasons best known to them.

AND

Further direction be also issued to the respondents to consider the Case of the Petitioner Sympathetically and decide it in a time bound manner as petitioner is working purely on the basis of 'No profit No loss' basis and due to inaction of the respondents, petitioner has suffered huge financial loss and petitioner is forced to face undue harassment even there being no fault on their part."

Served with the advance copy of the petition, Mr. Shekhar Verma, Addl.A.G. Punjab, is present in Court on behalf of the respondents. At the outset, on instructions from Mr. Anand Sharma, E.O, MC, Zirakpur, he submits, for the matter is under active consideration of the competent authority as regards the concerns/grievances of the petitioner as sought to be raised in this petition and a conclusive decision in this respect is likely to be reached in the immediate future, let the petition be disposed of, at this stage.

Learned counsel for the petitioner is agreeable to the course suggested by learned State counsel and submits that let the petition be disposed of in terms of the statement made by him. However, it is urged that the competent authority be directed to decide the matter within a specified time.

To this, learned State counsel submits that the necessary orders, in accordance with law, shall be passed, within two months from today.

In the wake of the position as sketched out above and in terms of the statements made by learned counsel for the parties, the petition is accordingly disposed of. However, if the matter is not concluded or no order is passed within that time, the petitioner shall be at liberty to move an appropriate application in this petition itself for its restoration and necessary orders.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And, appropriate orders, in accordance with law,

shall be passed within the time indicated by the learned State counsel.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the claim/grievance of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

13.03.2024
Manoj Bhutani

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