



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

**CWP No.31478 of 2024 (O&M)
Date of Decision :22.11.2024**

Dada Ganpati Engineers and others

.....Petitioners

Versus

**Haryana State Industrial & Infrastructure Development Corporation Ltd.
and others**

..... Respondents

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

Present : Mr. Mayank Mathur, Advocate for the petitioners.

**Ms. Kushaldeep Kaur, Advocate for
Mr. Ankur Mittal, Advocate for the respondents.**

ARUN PALLI, J. (Oral):

The petitioners have prayed for the following substantive relief:-

**“Civil Writ Petition under Article 226 of
Constitution of India specially in the nature of certiorary
with a prayer for quashing the calculations Annexure P-19
and Annexure P-20 which have been made by the
respondents by wrongly interpreting the OTS scheme as per
circular dated 15.03.2024 Annexure P-14.**

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**Civil Writ Petition under Article 226 of
Constitution of India specially in the nature of mandamus
with a prayer for directing the respondents to make correct
calculation of the amount due as per the OTS Scheme
Annexure P-14 and provide adequate time to the petitioners
to deposit the amount due by extending the time provided as
per the minutes of meeting of the BOD dated 30.07.2024,
Annexure P-18.**



OR

In the alternative issue a writ of certiorari holding that the OTS Scheme itself (Annexure P-14) is completely illegal arbitrary discriminatory & Unsustainable in the eyes of law.

&/OR

Direct the respondents to decide the representation of the petitioners, Annexure P-26, Dated 18.11.2024 by passing a speaking order on the same and provide adequate time to the petitioners to deposit the amount due after the said order.”

Having argued the matter at some length, learned counsel for the petitioners, as always, fairly submits that prior to the institution of this petition the petitioners had even served the respondents-authority with a representation dated 18.11.2024 (P26), but to no avail.

Served with the advance copy of the petition, Ms. Kushaldeep Kaur, Advocate for Mr. Ankur Mittal, is present in Court, for the respondents. She submits that as the competent authority has already in seizin of the concerns/grievances of the petitioners and a representation submitted in this regard is pending, it would be expedient, if the petition is disposed of, at this stage, to enable the respondents-authority to re-examine the matter in issue and pass necessary orders on the representation, in accordance with law. Further, she submits that before any such orders are passed, the petitioners shall individually be heard and for this they can appear before the competent authority-Head of Departments (HODs) on 25.11.2024 at 11.00 A.M. And till a formal decision, after hearing the petitioners is reached, no coercive measures shall be taken against them.



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

In response, learned counsel for the respondents submits that appropriate orders shall be passed within two weeks from today.

The petition is, accordingly, disposed of in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the respondents-authority 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 counsel for the respondents.

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

22.11.2024
Manoj Bhutani

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