



**CWP-25443-2025 & connected cases**

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

**(112) CWP-25443-2025  
Date of Decision : September 08, 2025**

**Union of India and others .. Petitioners**

**Versus**

**Sh. R.D. Dhiman and another .. Respondents**

**(113) CWP-25447-2025**

**Union of India and others .. Petitioners**

**Versus**

**Surinder Singh and another .. Respondents**

**(114) CWP-25527-2025**

**Union of India and others .. Petitioners**

**Versus**

**Sh. Kewal Singh and another .. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI  
HON'BLE MR. JUSTICE VIKAS SURI**

**Present: Mr. Ashish Chaudhary, Advocate, for the petitioners.  
(in all petitions).**

**Mr. Sandeep Siwatch, Advocate, for respondent No.1  
(in all petitions).**

**HARSIMRAN SINGH SETHI J. (ORAL)**

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1. By this common order, three writ petitions, the details of which have been given in the heading, are being disposed of as all these petitions involve the same question of law on similar facts.

2. Present writ petitions have been filed challenging the order dated 31.07.2024 (Annexure P-1) (in all the writ petitions), passed by the Central Administrative Tribunal, Chandigarh (hereinafter referred to as 'Tribunal') by which, the petitioners were directed to comply with the directions of the Tribunal as contained in the order dated 17.12.2019 in letter and spirit within four weeks from receipt of copy of this order.

3. Learned counsel for the petitioners argues that the respondent No. 1 (in all the writ petitions) had approach the Tribunal with certain grievances by filing an original application, which was disposed of on 17.12.2019 with a direction to the Department to take appropriate decision on the representation submitted by the respondent-employees. The said representations were rejected by the petitioners.

4. Learned counsel for the petitioners submits that rather than challenging the said order of rejection of the claim, the execution applications have been filed by respondent-employees wherein, certain directions have been given to the petitioners by the Tribunal so as to implement the direction dated 17.12.2019 of deciding the representation in a particular manner, passing of which order is beyond the jurisdiction of the Tribunal while acting as an Executing Court.

5. Notice of motion.

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6. Mr. Sandeep Siwatch, Advocate, who is present in the Court, accepts notice on behalf of respondent No.1 in all the writ petitions.

7. Learned counsel for respondent No.1 (in all the writ petitions) submits that once a direction was given to the petitioners by the Tribunal to decide the representation of respondents as per the law laid down and cited in the said representation, the act of petitioners of passing an order without noticing the law stipulated by the respondents in said representation so as to claim the benefit admissible to them, the impugned order passed by the Tribunal as an Executing Court directing the petitioners again to decide the representation filed by the respondents in a particular manner, is perfectly valid and legal.

8. We have heard learned counsel for the parties and have gone through the record with their able assistance.

9. It may be noticed that only order passed by the Tribunal on 17.12.2019 was passed by giving a direction to petitioners to decide the representation filed by the respondent-employees. In case the representation has wrongly been decided, the option was available with the respondent No.1 (in all the writ petitions) to challenge the said order alleged to be wrongly decided by petitioners and seek appropriate direction qua the relief claimed.

10. Further, while acting as an Executing Court, the Court cannot dictate the authorities to decide upon a representation in a particular manner especially when, no such order exists as per the order dated 17.12.2019 that directions were required to be complied with.

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11. A bare perusal of the impugned order passed by the Tribunal as an Executing Court shows that the said order has been passed by interpreting the order dated 17.12.2019 in a particular manner and then directions have been given so as to comply with the said order. Unless the order is explicit, execution order cannot interpret the same in a particular manner.

12. Keeping in view the above, the order dated 31.07.2024 (Anneuxre P-1) (in all the writ petitions) are set aside. However, respondent No.1 (in all the writ petitions) will be at liberty to challenge the order passed by petitioners rejecting their representation before appropriate forum by availing appropriate remedy.

13. It may be noticed that as the orders were passed in the year 2019, after which the execution petition was filed, the said fact be taken into consideration while adjudging the issue qua limitation as envisaged under Section 21 of the Administrative Tribunal, Act, 1985, if any such issue is raised, or even otherwise.

14. Further, the order dated 17.12.2019 qua which execution application was filed by respondents already stood executed while passing of the order dated 08.10.2021 and 16.02.2023 by the petitioners, the only remedy available to the respondent No.1 in such case was to challenge the said orders passed by petitioners rather than filing an execution petition.

15. The present writ petitions are allowed in above terms.

16. Civil miscellaneous application pending if any, also stands disposed of.



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17. A photocopy of this order be placed on the file of other connected cases.

**(HARSIMRAN SINGH SETHI)  
JUDGE**

**September 08, 2025**  
*harsha*

**(VIKAS SURI)  
JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No