

CWP-25569-2013

Date of decision : 10.02.2015

Manjit Kaur and others

.....Petitioners

Vs.

Union of India and others

...Respondents

CORAM : HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.D.S.Gandhi, Advocate
for the petitioners.

Mr.J.S.Gurna, Advocate
for the respondent-UOI.

Mr. Ranjit Sharma, Advocate
for respondent No.3.

RAMESHWAR SINGH MALIK, J (ORAL)

Learned counsel for the parties are ad-idem that whatever amount is yet to be paid to the petitioners in compliance of the order dated 04.05.2011 passed by learned Judicial Magistrate Ist Class, Amritsar in Criminal Case No.69/09/10 (Manjit Kaur and others Vs. Dalwinder Singh) passed in a petition under Section 125 of the Code of Criminal Procedure, the same shall be deducted from the retiral dues of respondent No.3, for payment thereof to the petitioners.

Learned counsel for the parties are further agreed that drawing and disbursing authority of the respondent-department, shall also ensure monthly payment to the petitioners, towards the

maintenance granted in their favour by the Court of learned Judicial Magistrate Ist Class, Amritsar vide order dated 04.05.2011 (Annexure P-1), from the monthly pension of respondent No.3.

In view of the above common stand taken by the learned counsel for the parties, this petition is disposed of with a direction to the respondent authorities, to ensure meticulous compliance of order dated 04.05.2011 (Annexure P-1) passed by learned Judicial Magistrate Ist Class, Amritsar, by deducting requisite amount from the retiral dues of respondent No.3 and paying the same to the petitioners, if not already paid.

It is further directed that respondent authorities shall further ensure meticulous compliance of order dated 04.05.2011 (Annexure P-1), while deducting the requisite amount from the monthly pension of respondent No.3 for payment thereof to the petitioners. Respondent No.3 shall be paid the remaining amount from his monthly pension after paying the requisite amount to the petitioners, as per the above said order dated 04.05.2011 (Annexure P-1) passed by the learned Judicial Magistrate Ist Class, Amritsar.

It is also directed that if any amount, on account of retiral benefits has not been released in favour of respondent No.3, the same shall be released in his favour without any further loss of time, but in any case paid within two months from today, so as to ensure strict compliance of the order dated 04.05.2011 (Annexure P-1).

With the above said observations made and directions issued, instant writ petition stands disposed of.

(RAMESHWAR SINGH MALIK)
Judge

February 10, 2015
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