

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No. 2013 of 2013 (O&M)
Date of Decision: 28.01.2015

Shiv Kumar Goswami

..Appellant

Versus

State of Punjab and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE.
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH.**

Present : Mr. APS Sandhu, Advocate, for the appellant.
Mr. J.S.Puri, Addl. Advocate General, Punjab.
Mr. K.S.Rekhi, Advocate, for respondents no.3 and 4.
None for respondents No.5 and 6.

S.J.VAZIFDAR A.C.J. (Oral)

CM No. 5123-LPA of 2013

Heard. For the reasons mentioned in the application, delay of 363 days in filing the appeal is condoned. Application stands disposed of.

LPA No. 2013 of 2013

The appellant has challenged an order dated 16.08.2012 disposing of Civil Writ Petition No. 11497 of 2010 (O&M) in which he was petitioner No.2. He has also challenged an order dated 06.08.2013 dismissing the Review Application No. 45 of 2013 (O&M) against that order. The order dated 16.08.2012 was passed accepting the submissions on behalf of the appellant that the appellant is entitled to contributory fund @ 10% of the salary as envisaged in Regulation 12.3 of Chapter VIII-E of the Panjab University Calendar, 2007. The order was passed in view of the judgment of the learned Single Judge of this Court and in view of the judgment of the Division

Bench of this Court. The learned Single Judge, therefore, disposed of the petition in view of the aforesaid judgments.

2. The appellant does not challenge the order and judgment dated 16.08.2012 to the above effect. The appellant, however, contends that the respondents have failed and neglected to make payment of the amount in accordance with the above order. This appeal was entirely unnecessary. If the appellant is aggrieved on account of the respondents' not having made the payment in accordance with the impugned order and judgment, he is always at liberty to adopt appropriate proceedings to have the same enforced.

3. The appeal is accordingly disposed of.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

(AUGUSTINE GEORGE MASIH)
JUDGE

28.01.2015
'ravinder'