

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

COCP No. 1123 of 2014 (O&M)

Date of Decision: 28.03.2016

Yash Pal

.....Petitioner

Versus

Sh. Gurkirat Kripal Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL.

Present: Mr. Ajay Mahajan, Advocate
for the petitioner.

Mr. Vikas Singh, Advocate
for the respondent.

RAJESH BINDAL, J.

The petition has been filed alleging non-compliance of the order passed by this Court on 5.3.2012 whereby respondent was directed to consider the claims made by the petitioner in the legal notice dated 28.11.2011. The petitioner filed the writ petition claiming that his retiral dues have not been paid especially gratuity and leave encashment. The writ petition was disposed of with direction to decide the claim and pay the amount along with interest @ 7% per annum. It is not in dispute that the retiral dues as noticed above namely gratuity and leave encashment have been paid to the petitioner alongwith interest @ 7% per annum. There was delay in payment of the aforesaid amount as the petitioner was facing inquiries. More amount was paid to the petitioner on account of pay revision w.e.f. 1.1.2006. The petitioner retired from service on 31.5.2010. The arrears to that account were calculated and paid to the petitioner as

well as paid to the other employees. The petitioner is claiming that he is entitled to be paid interest even on that amount. The stand of the respondent is that when the arrears on account of revision in pay were paid to the other employees, the interest was not paid. Even a perusal of the order passed by this Court on 5.3.2012, does not show that the petitioner was to be paid interest even on arrears of salary on account of retrospective pay revision as what has been noticed was non payment of retiral dues such as gratuity and leave encashment on which the interest was awarded.

Considering the aforesaid fact, in my view, the order passed by this Court has been complied with. No case for contempt is made out.

Dismissed.

28.03.2016
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(RAJESH BINDAL)
JUDGE