

COCP No. 166 of 2016

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

COCP No. 166 of 2016

Date of Decision: October 18, 2016

Constable No.45/HPR Avtar Singh

...Petitioner

Versus

Sh. C. Roul, IAS & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: None for the petitioner.

Mr. K.D.S. Sidhu, Addl. A.G., Punjab.

AUGUSTINE GEORGE MASIH, J. (Oral):

Vide order dated 29.07.2015, writ petition preferred by the petitioner i.e. CWP No.15309 of 2015, titled as 'Avtar Singh Vs. State of Punjab & others', was disposed of by directing the consideration of the claim of the petitioner projected by him in the legal notice dated 01.06.2015 in the light of the judgment passed by this Court in CWP No.17661 of 2013, titled as 'Rajinder Singh Vs. State of Punjab & others', decided on 13.11.2014. The claim of the petitioner, according to the reply which has been filed by the respondents, has been considered and a period of 5 years 3 months and 24 days of National Emergency has been treated as qualifying service for contributing service for retiral benefits. Accordingly, the pension case of the petitioner has been revised after the same was approved and sanctioned by the Accountant General, Punjab, Chandigarh, vide letter

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dated 01.04.2016 and the arrears amounting to ₹ 1,12,746/- stand released to the petitioner. Counsel, on the basis of the speaking order dated 21.01.2016 passed by the Senior Superintendent of Police, Hoshiarpur, and the relief having been granted and released to the petitioner, submits that the present contempt petition has been rendered infructuous.

In view of the above, the present contempt petition is disposed of as infructuous. However, liberty is granted to the petitioner to file a representation to the Senior Superintendent of Police, Hoshiarpur, if there is any grievance with regard to the calculations in the arrears, which shall be considered and decided by the Senior Superintendent of Police, Hoshiarpur, within a period of six weeks from the date of submission of such representation.

Rule issued to the respondents stands discharged.

(AUGUSTINE GEORGE MASIH)
JUDGE

October 18, 2016
Harish

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No