

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No.889 of 2015 (O&M)
Date of Decision: -28.07.2016

Dr. Surinder Pal Singh Bagga

. . . . Petitioner

Versus

Mr.Hussan Lal and others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Kanwalvir Singh Kang, Advocate, for the petitioner.

Mr.Anant Kataria, DAG, Punjab.

RAKESH KUMAR JAIN, J. (ORAL)

CM No.14513-CII-2016

This application is filed to place on record document Annexure P-8.

Application is allowed.

Document, Annexure P-8, is taken on record.

COCP No.889 of 2015

Vide order dated 12.12.2013, respondents were directed to compute the pension of the petitioner as per the salary drawn at the time of his retirement in terms of the pension regulations and to pay him arrears and the revised pension within three months from the date of receipt of certified copy of the order. It was further directed that in case it is not paid within a period of three months then the petitioner would be entitled to claim the same with interest @ 8% per annum from the date of his retirement till the date of payment.

There is no doubt that the principal amount has already been paid but the petitioner's claim is that the principal amount has not been paid within three months as directed by this Court, therefore, the petitioner is entitled to interest.

Learned counsel for the respondents, however, submits that the certified copy of the order was received in the office of the Government Medical College, Patiala on 28.1.2014 and the arrears of pension was paid on 29.4.2014, therefore, the entire payment was made within 3 months. It is further submitted that the payment was deposited in the bank earlier in time but it was the bank who had released the payment to the petitioner on 29.4.2014.

On the other hand, learned counsel for the petitioner, relying upon information derived under the RTI Act has submitted that the certified copy was received by respondent on 24.4.2014, therefore, there is a difference of 5 days in payment of the arrear of pension.

Learned counsel for the respondents submits that the bank was directed by the college to pay the arrears on 10.4.2014.

After hearing learned counsel for the parties and keeping in view the aforesaid facts and circumstances, I do not find any reason to prosecute the respondents under the Contempt of Courts Act, 1971 as there is no willful disobedience on their part. The order passed by this Court has been duly complied with.

Dismissed.

28.07.2016

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No