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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 1217/2016**

MADAN MOHAN TIWARI Petitioner

Through Mr.Uday Prakash Yadav with
Mr.Nasir Husain, Advocates.

versus

RAGIV MAHRISHI & ORS Respondents

Through Dr.Ashwani Bhardwaj, Advocate with
Mr.S.S.Sejwal, Law Officer, CRPF.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **18.11.2016**

Present contempt petition has been filed alleging wilful disobedience of the order dated 10th August, 2015 passed in W.P.(C) No.6896/2013, whereby the petitioner was directed to refund the amount of Rs.5,907/- with interest at 8.5% per annum for the period between 1st May, 1991 till date within a period of four weeks and immediately upon receipt of the said amount, the respondent-CRPF was directed to correct its record and reckon the period spent by the petitioner in military service, i.e., between 26th December, 1984 and 31st July, 1990 for the purpose of all the benefits, i.e., qualifying service for the purpose of fixation of pension, calculation of gratuity to be paid by the respondent-CRPF and other terminal benefits within a period of six weeks.

Learned counsel for the petitioner states that though the petitioner deposited the amount of Rs.18,125/- on 8th September, 2015

and on 11th March, 2016, the respondent conveyed the approval of the competent authority regarding counting of his qualifying service in the Indian Army, yet the same has not been taken into account for the purpose of seniority and promotion in CRPF.

On the other hand, learned counsel for the respondents states that the qualifying service of the petitioner with the Indian Army was to be counted only for the purpose of service benefits such as gratuity and pension. He has relied upon paragraph (1) of the order dated 10th August, 2015.

At this stage, learned counsel for the petitioner wishes to withdraw the present contempt petition with liberty to file an application for clarification before the Division Bench that passed the order dated 10th August, 2015.

With the aforesaid liberty, present contempt petition is dismissed as withdrawn.

MANMOHAN, J

NOVEMBER 18, 2016
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