

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

COCP 1178/2016

Date of decision:27.04.2017.

Smt.Mamtesh Rani

.....Petitioners

v.

Sh.AK Gupta and another

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Tarun Seth,Advocate for
 Mr.Vikas Bishnoi,Advocate for the petitioner

Ms.Shubhra Singh,Addl.AG Haryana

Jaswant Singh,J,(Oral).

Sanjay Kumar-husband of the petitioner was apponted to the post of JE(Civil)BBMB after following due procedure on 1.1.2009. He died on 22.2.2009. Respondents restricted the claim of the petitioner for financial assistance on account of death of her husband to 20 days of service on the premise that deceased had worked only for 20 days when he died in harness. Aggrieved against the same, she filed CWP 9855/2013. The said writ petition was allowed vide order dated 15.10.2015 by holding petitioner entitled to financial assistance in terms of 2006 Rules and respondents were directed to reconsider the issue in the light of directions given in the said order as expeditiously as possible but not later than two months from the date of receipt of certified copy of the order.

Alleging non-compliance of said order dated 15.10.2015, instant contempt has been filed.

Upon notice, initially short reply by way of affidavit of

Sh.Jagmohan Singh,GM,Irrigation and WR Department, Haryana was filed. Thereafter, additional affidavits of Sandeep Taneja,GM, Irrigation and WR Department Haryana dated 16.2.2017 and 10.4.2017 have been filed stating therein that after passing of order dated 15.10.2015, respondents availed the remedies of LPA/SLP. The SLP preferred by the State was dismissed on 14.12.2016 and thereafter fully month salary has been accorded vide letter dated 7.2.2017(R-1) for a period from 23.9.2009 to 22.2.2021. It is further submitted that differential amount of full month salary has been deposited in the account of petitioner vide pay order dated 15.2.2017(R-2) and interest @ 12% on differential amount amounting to Rs.88428/- deposited in the account of petitioner vide pay order dated 28.3.2017 (R-1/1). An unconditional apology has also been rendered.

In view of the reply/additional affidavits noticed above, it is apparent that compliance of order dated 15.10.2015 has been made, rendering the instant contempt infructuous.

Ordered accordingly.

27.04.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No