

C.M. NO.11526 CII OF 2017
C.O.C.P. NO.1410 OF 2016 (O&M)

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

105/235

C.O.C.P. NO.1410 OF 2016 (O&M)
DATE OF DECISION: MAY 30, 2017

Nitya Nand

.....Petitioner

VERSUS

Harbans Singh

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Padamkant Dwivedi, Advocate,
for the petitioner.

Mr. P. S. Thiara, Advocate,
for the respondent.

AUGUSTINE GEORGE MASI, J. (ORAL)

C.M. No.11526 CII of 2017

Application is allowed.

Short reply on behalf of the respondent is taken on record.

C.O.C.P. No.1410 of 2016

Counsel for the petitioner states that although the monetary benefits have been released to the petitioner in compliance with the order dated 02.03.2016 (Annexure P-1) passed by this Court but the order of retirement has not yet been amended. According to the judgement, the date of retirement of the petitioner should be 30.09.2015. He further submits that in case the same is done, the petitioner would be entitled to some further benefits such as L.T.C, travelling allowance and E.P.F. etc. Apart from that,

he contends that the petitioner has also not received the details/certificate with regard to deductions of the income tax, which has been made by the respondents, enabling him to claim refund etc. from the Income-tax Department.

Counsel for the respondent, on instructions from Mr.Harbans Singh, Divisional Engineer (respondent in the present contempt petition), who is present in person in Court, states that necessary orders qua the grievances of the petitioner will be passed by the competent authority and the requisite form for the purpose of income tax will be issued to him within a period of four weeks from today.

In view of the above, the present contempt petition is disposed of as infructuous with liberty to the petitioner to put forth his claim after the competent authority passes an order, changing his date of retirement to 30.09.2015. If such a representation is made, the same shall be considered and decided by the competent authority within a further period of eight weeks. Decision so taken be conveyed to the petitioner forthwith.

In case the claim of the petitioner is accepted, the consequential benefits be released to him within a further period of four weeks.

Rule issued to the respondent stands discharged subject to above.

May 30, 2017
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No