

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

COC P No.1582 of 2015(O&M)

Date of Decision:-15.03.2017

Parthasarathi Sharma.

.....Petitioner.

Versus

Harsh Kumar Bhanwala, Chairman NABARD & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Piyush Sharma, Advocate for the Petitioner.

Mr. Deepender Singh, Advocate for the respondents.

JASWANT SINGH, J.(ORAL)

Petitioner while working as Manager in the regional office of NABARD at Aizawl (Mizoram) was proceed against for imposition of major penalty on the *inter alia charges* of embezzlement. The disciplinary proceedings culminated into passing of the orders of dismissal. The petitioner filed CWP No.11202 of 2010 challenging the charge sheet, inquiry report and the entire disciplinary proceedings. The writ petition was allowed vide order dated 23.04.2015 with a direction for reinstatement of the petitioner with all consequential benefits.

Since the arrears of salary etc., were not correctly calculated and paid within the stipulated time present contempt was filed.

Apart from a reply filed earlier, CM No.5768-CII of 2017 has

been filed on behalf of respondents, whereby in the additional affidavit

dated 14.03.2017 of Sh. Sanjay Chona, Assistant General Manager, NABARD, Chandigarh in para no.2 has given the complete breakup of the arrears paid in the sum of Rs.63,46,683/-. The year wise calculated arrears have already been placed on record as Annexure R-3 with the present affidavit. It is thus contended that the orders have been duly complied with as the entire consequential benefits have been paid.

In response learned Counsel for the petitioner submits that the arrears of North East Allowance for the period of his actual stay at Aizawl have not been calculated or release. Although similar benefit has been extended to his similarly situated colleague-Arvind Arora.

Learned Counsel for the respondents concedes that upon verification the admissible North East Allowance shall also be paid to the petitioner.

In view of the above, it is apparent that there is a substantial compliance of the order and, therefore, further proceedings in the present contempt are not warranted.

Keeping in view the above, the present contempt petition is hereby dismissed as infructuous. However, the petitioner is free to pursue his remaining claims qua the admissible allowance by filing a representation which it is hoped that the respondents would decide at the earliest in accordance with law.

(JASWANT SINGH)

JUDGE

March 15, 2017

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>