

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

**COCP-2434-2017 (O & M)
Date of decision: 30.08.2017**

Swarup Singh @ Saroop Singh

....Petitioner

V/s

Amar Singh Chahal and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rajesh K. Dadwal, Advocate, for the petitioner.

Rajan Gupta, J. (Oral)

Notice of motion.

On the asking of the court, Mr. Aditya Sharda, AAG, Punjab, present in court, accepts notice.

Petitioner alleges violation of order passed by the writ court on October 26, 2016. Operative part thereof reads as under:-

“It being so, the service of the petitioner rendered in the India Army during 2nd National Emergency is ordered to be counted for the purpose of pension. Accordingly, the respondents are directed to re-fix the pension of the petitioner. The pension be re-fixed and released to the petitioner within two months from the date of receipt of copy of this order.”

Learned State counsel, at the outset, submits that in case no appeal has been filed against the order, it shall be ensured that the concerned authority complies with the order passed by the writ court at the earliest, in any case, not later than 02 months.

In view of statement made by learned State counsel, no further direction is necessary. In case, needful is not done, a fresh cause of action would arise to the petitioner. In such eventuality, this court shall consider imposition of exemplary costs, which shall be deducted from the salary of the officials responsible for the delay/non-compliance.

Disposed of.

August 30, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No