

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

**C.O.C.P. No.251 of 2017
Date of Decision: 28.03.2017**

Suresh Bhardwaj

..... Petitioner

Versus

Sh. Anand Mohan Sharan, Commissioner & Principal Secretary,
Department of Urban Development, Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. C.B.Kaushik, Advocate for the petitioner.

Ms. Shubhra Singh, Additional Advocate General, Haryana
for the respondents/contemners.

JASWANT SINGH, J. (Oral)

The petitioner had filed CWP No.12447 of 2013 seeking directions to the respondents to make the regular pay scale of Secretary A-Class Municipal Council w.e.f. 18.07.1997 instead of 16.08.2002 while he was given current duty charge for the above said post and further prayer for grant of payment of current duty charge on the post of regular pay scale of Executive Officer, Municipal Council w.e.f. 10.01.2005 till the date of his superannuation i.e. 30.11.2008. The said petition was allowed vide order dated 17.05.2016 (**Annexure P-1**) with the directions that the petitioner is entitled to the pay scale of Secretary A-Class, Municipal Council, in view of the judgment of the Full Bench of this Court rendered in **Subhash Chander Vs. State of Haryana and others, 2012 (1) SLR 207** with all consequential benefits and the payment of arrears of revised pension w.e.f. 18.07.1997 in view of the judgment in **State of Haryana and another Vs. Harbans Lal and others, passed in LPA No.1169 of 2012, decided on 08.10.2012**; further a direction to give a regular pay scale of Executive Officer w.e.f. 03.12.2004 till the date of his retirement. It was also

ordered that since the current duty charge was not given against the post meant for promotion quota, his arrears of pension will be calculated on the basis of last pay drawn as Secretary A-Class, Municipal Council and further direction to give the arrears of pension to the petitioner w.e.f. 30.11.2008, as per the judgment of LPA Bench in **Harbans Lal and others' case (supra)**. It was further directed that the respondent(s) shall comply with the directions within a period of three months and thereafter, a compliance report be sent to this Court. Since the needful was not done, hence the present contempt petition.

At the time of hearing, short reply by way of affidavit dated 22.03.2017 of Sh. Shekhar Vidyarthi, Director, Urban Local Bodies, Haryana on behalf of respondent No.2 has been filed, which is taken on record. Copy of the same has been furnished to learned opposite Counsel. In the reply, it is submitted that in compliance of the directions passed by this Court, the necessary benefits have been released to the petitioner, vide cheque No.245651 dated 17.03.2017. Copy of the letter, in this regard, is enclosed as **Annexure R-2/3**.

Learned Counsel for the respondents submits that the present petition has become infructuous as the directions stand complied with. This fact is not disputed by learned Counsel for the petitioner.

In view of the above, no further action is warranted.

Accordingly, the present contempt petition stands dismissed as infructuous.

March 28, 2017

Gagan

(JASWANT SINGH)
JUDGE

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