

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

**CM No.2563-CII of 2016 in/and
C.O.C.P. No.2756 of 2015
Date of Decision: 05.05.2017**

Ram Kumar

..... Petitioner

Versus

S.S.Dhillon, IAS, Financial Commissioner and Secretary,
Transport Department, Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the applicant/petitioner.

Mr. Sidharth Sanwaria, Deputy Advocate General, Haryana
for the non-applicant/respondent.

JASWANT SINGH, J. (Oral)

CM No.2563-CII of 2016

Prayer in the present application is for revival of the contempt petition bearing COCP No.2756 of 2015, which was dismissed as infructuous, vide order dated 14.01.2016, on the statement of learned Counsel for the State that the pension of the petitioner has been revised and released. The said petition was disposed of with a rider that in case the statement made by learned Counsel for the State is not found correct, the petitioner may file an application for its revival.

For the reasons mentioned in the application, the same is allowed. The contempt petition is revived to its original number and status and taken up today itself for further consideration.

MAIN CASE

The petitioner had filed CWP No.9564 of 2014 for quashing the order dated 15.04.2014, whereby the petitioner had though been granted

benefit of the higher standard pay scale on completion of 10 years of service by counting his on time service, but while granting pensionary benefits on retirement on 31.07.2013, period for which he remained out of service, had not been taken into account. The said writ petition was allowed vide order dated 23.03.2015 (**Annexure P-3**) and the order dated 15.04.2014 was set aside. It was also ordered that the petitioner would be entitled to 50% of the pension on the basis of last wages drawn. It was also expected by this Court that pension of the petitioner shall be revised within three months from the receipt of certified copy of this order, failing which, the petitioner shall be entitled to interest @ 9% p.a. Aggrieved, the instant contempt petition.

At the time of hearing, reply by way of an affidavit dated 04/05.05.2017 of Sh. Khubi Ram Kaushal, General Manager, Haryana Roadways, Hisar has been filed, which is taken on record. In the reply, it is submitted that in compliance of the order dated 23.03.2015 (**P-3**), the petitioner has been granted 50% pension of last basic pay of Rs.20,110/- i.e. Rs.10,055/- w.e.f. 01.08.2013 along with interest @ 9% per annum, which comes to Rs.14,256/-, vide Bill dated 28.04.2016 (**Annexure R-1**).

Learned State Counsel for the respondents submits that the aforesaid directions have already been complied with.

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

Accordingly, the present contempt petition is dismissed as infructuous. However, if there is still any grievance, the petitioner is at liberty to revive the present contempt petition.

May 05, 2017

Gagan

(JASWANT SINGH)
JUDGE

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