

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

COCP No. 3212 of 2017

Date of decision : 03.11.2017

Dev Parkash

....Petitioner

V/s

Krishan Kumar Khandelwal & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ramesh Malik, Advocate for the petitioner.

RAJAN GUPTA J.

Notice of motion.

On the asking of court, Mr. Gaurav Jindal, Addl. A.G. Haryana, who is present in court, accepts notice.

Petitioner alleges violation of order dated 01.08.2016 passed by writ court, operative part thereof reads as under:-

“This was subject to the condition laid down in the said instructions. Of course, if the conditions are laid down, the petitioner has to follow these conditions. However, the past service, rendered in the Government Aided School against the sanctioned post, is to be counted for the grant of pension and gratuity. The petitioner worked on the sanctioned post of Hindi teacher in the Government Aided School from 6.8.1984 to 19.11.1993. The said period is to be counted as qualifying service for the purpose of grant of pension and gratuity. The present writ petition is allowed on the abovenoted terms. The respondents are directed to fix the revised pension after counting his said service and pay the same within three months from the date of passing of this order with interest at the rate of 9% per annum, starting three months from the date of retirement till payment.”

At the outset learned State counsel submits that in case no appeal is pending against the aforesaid order, same shall be complied with at the earliest, in any case not later than two months.

In view of statement made by learned State counsel, no further direction is necessary. Disposed of. It is however, clarified that in the eventuality a fresh cause of action accrues to the petitioner to invoke the contempt jurisdiction of this court, apart from initiating proceedings under the Act, it shall also impose exemplary costs which shall be deducted from the salary of the official(s) responsible for delay/non-compliance.

November 03, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No