

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

Date of decision:24.03.2017

Ashok Puri

.....Petitioner

v.

Jagpal Singh Sandhu

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Mohd.Salim,Advocate for the petitioner

Mr.Anant Kataria,DAG Punjab

Jaswant Singh,J,(Oral).

Petitioner joined Police Department as a probationer on the post of ASI in March 1980. In the year 2000 when he was posted as DSP Sub Division,Jagraon, it is alleged that due to his taking action against drug mafia, he was falsely implicated in case FIR No.34 dated 19.2.2000 under Sections 376-A,343,120-B and 506 IPC and Arms Act, PS Jagraon, under political pressure. In the said case he was ultimately acquitted on merits by the Court of learned Additional Sessions Judge,Ludhiana vide order dated 29.2.2012. Since his representation dated 2.5.2013 seeking reinstatement with all consequential benefits was rejected by the authority concerned, he filed CWP 11695/2013 which was allowed by this Court vide order dated 25.11.2013 by directing the authorities concerned to reconsider his representation for reinstatement

etc. Though the petitioner was reinstated vide order dated 28.5.2014 but consequential seniority and back wages were denied to him. Petitioner repeatedly represented for grant of said benefits and ultimately his representation in this regard was again rejected vide order dated 5.1.2015. The said order dated 5.1.2015 was challenged by the petitioner by filing CWP 1059/2015 which was ultimately allowed with costs vide order dated 24.8.2015 and petitioner was ordered to be reinstated with all consequential benefits that is pecuniary and non-pecuniary including original seniority as though the dismissal order dated 7.3.2000 was never passed.

In the present contempt it is alleged that order dated 24.8.2015 passed by this Court in CWP 1059/2015 has not been complied with and hence contempt of Court.

Upon notice reply by way of affidavit dated 27.4.2016 of Jagpal Singh Sandhu, Addl. Chief Secretary, Government of Punjab was filed stating therein that pursuant to the order dated 24.8.2015 passed by this Court, a speaking order dated 1.4.2016 was passed whereby *dies non* period was treated as duty period and it was further ordered to release the pay and other benefits for the period i.e. From 7.3.2000 to 28.5.2014. As regards costs part, it was submitted that after taking legal opinion from the office of Advocate General, Punjab, Government of Punjab was to file appeal shortly.

At the time of hearing today, an additional affidavit dated

24.3.2017 of Dr. Nirmaljeet Singh Kalsi, IAS, Addl. Chief

Secretary, Home has been filed detailing therein the amounts released to the petitioner under various heads including Pension, Commuted value of Pension, DCRG, GPF, Leave Encashment etc.etc. A copy of the said additional affidavit has been furnished to the counsel for the petitioner, who in view of the contents of the said additional affidavit concedes that the order dated 24.8.2015 passed by this Court stands complied with and thus the present contempt petition has become infructuous.

Dismissed as infructuous.

24.03.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No