

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

**C.O.C.P. No.816 of 2016 (O&M)
Date of Decision: 27.02.2017**

Rajesh Kumar

..... Petitioner

Versus

Gurpreet Singh Khaira, Commissioner,
Municipal Corporation, Jalandhar

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the petitioner.

Mr. H.K.Aurora, Advocate for the respondent/contemner.

JASWANT SINGH, J. (Oral)

The writ petition bearing CWP No.5818 of 2014 filed by the petitioner was allowed by this Court vide order dated 12.10.2015 (**Annexure P-1**), whereby the charge-sheet dated 03.11.2008 qua embezzlement was quashed on the ground of delay as also acquittal in the criminal trial with respect to the same allegations. Since the consequential benefits were not paid within the stipulated time, hence the present contempt petition.

Upon notice, by way of CM No.26273-CII of 2016, reply on behalf of the respondent is sought to be placed on record.

Application is allowed. Reply is taken on record.

Para Nos.2, 3 and 4 of the reply are read as under:-

“ 2. That, in pursuance of the order dt. 12.10.2015 passed by this Hon'ble Court in CWP No.5818 of 2014, the petitioner has been paid his full salary along with increments as per the following details:-

<i>Sr. No.</i>	<i>Arrears</i>	<i>Cheque No. and Date</i>	<i>Name of Bank</i>
<i>1</i>	<i>Rs.7,61,0374/-</i>	<i>460114 dt. 1.11.2016</i>	<i>State Bank of Patiala</i>
<i>2</i>	<i>Rs.82,951/-</i>	<i>460223 dt. 7.11.2016</i>	<i>State Bank of Patiala</i>

3. That the petitioner has received his due payment to his satisfaction. In this regard, he has furnished his affidavit dt. 8.12.2016 which is duly appended herewith as **Annexure R-2/1**.

4. That the petitioner remained suspended from 27.11.2004 to 31.12.2003 (34 days) and this suspension period has been treated as earned leave. ”

Learned Counsel for the respondent, in the light of the contents of the aforesaid Para Nos.2, 3 and 4, submits that the present contempt petition has become infructuous.

In view of the above, no further action is warranted in the present contempt petition.

Accordingly, the present contempt petition stands dismissed as infructuous.

February 27, 2017
Gagan

(JASWANT SINGH)
JUDGE

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