

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

**COCP-3777-2017 (O & M)
Date of decision: 18.12.2017**

Karanvir Singh and ors.

...Petitioner(s)

V/s

Anirudh Tiwari and anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. C.M. Chopra, Advocate, for the petitioners.

Rajan Gupta, J. (Oral)

Notice of motion.

Mr. Vikas Mohan Gupta, Addl.A.G., Punjab, present in court,
accepts notice.

Petitioners allege violation of order dated 30.09.2016,
Annexure P-1, passed by the writ court. Operative part thereof reads as
under:-

“Hence, it is ordered that the pre-retirees are entitled to re-fixation of their pension as per circular dated 15.12.2011 and circulars issued by Government from time to time but without any retrospective effect, namely, only from the date when the competent authority made it effective w.e.f. 1.12.2011 in terms of judgment of Division Bench of this Court in A.P. Sharma's case (supra). Consequently, post retirees who retired between 1.1.2006 and 1.12.2011 are also entitled to re-fixation of the pension but without retrospective effect, namely, from the date when competent authority made it effective w.e.f. 1.12.2011. On account of re-fixation of the pension, other consequential benefits will also follow. Necessary follow-up action be taken within three months from the date of receipt of a certified copy of this judgment. ”

Learned State counsel submits that in case no appeal has been preferred against the aforesaid order, same shall be complied with at the earliest, in any case, not later than 02 months.

In view of statement made by learned State counsel, no further direction is necessary. In case, fresh cause of action accrues to the petitioners to invoke contempt jurisdiction of this court, apart from proceedings under the Act, this court shall consider imposition of punitive costs to be recovered from the salary of the officers responsible for the delay/non-compliance.

Disposed of.

December 18, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No