

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

**C.O.C.P. No.899 of 2015
Date of Decision: 24.03.2017**

Nirmala

..... Petitioner

Versus

Darshan Singh Gill, Registrar, Cooperative Agricultural Society, Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ravi Gakhar, Advocate for the petitioner.

Mr. Anant Kataria, Deputy Advocate General, Punjab
for the respondent/contemner.

JASWANT SINGH, J. (Oral)

This Court, vide order dated 23.11.2016, passed the following order:-

“ *The late husband of the petitioner Om Parkash had retired as Secretary on 31.07.2006. He has been held to be entitled to leave encashment and gratuity of an amount of ₹ 2,40,187/- by the society. Since the amount was not being released after the death of her husband on 21.10.2012, therefore, the petitioner made a representation on 13.12.2014 to the respondent. The said legal notice was not being decided, therefore, writ petition was filed in which a categoric direction was issued by this Court to the respondent to decide the legal notice in accordance with law and direction that in case the petitioner is held entitled to the aforesaid amount then it should be paid with 9% interest. Since that order was not complied with, therefore, the present contempt petition is filed.*

State counsel has taken a stand and submitted that since the money has to be paid by the society, therefore, society should have been impleaded as a party.

On the other hand, counsel for the petitioner has submitted that legal notice was ordered to be decided by the competent authority which shall be decided by Society holding the petitioner to be entitled to the said amount.

Now the question is “as to whether the respondent has any superintending powers over the functioning of the Society?

Counsel for the respondent prays for two weeks' time so that the respondent may get the order implemented for the purpose of payment of leave encashment and gratuity amount from the society alongwith 9% interest.

Adjourned to 19.12.2016.

In case, this order is not complied with, Registrar shall remain present in Court.

A copy of this order be given to counsel for the State under the signatures of the Bench Secretary of this Court. ”

At the time of hearing, learned Counsel for the petitioner submits that the present petition has become infructuous as the directions passed by this Court stand complied with.

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

Accordingly, the present contempt petition stands dismissed as infructuous.

March 24, 2017
Gagan

(JASWANT SINGH)
JUDGE

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