

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

COCP 1098/2018

Date of decision:17.07.2018

Raj Pal

.....Petitioner

v.

Sh.BS Sandhu,IPS

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Gaurav Rana,Advocate for the petitioner

Mr.SK Vashisth,DAG Haryana for respondent.

Jaswant Singh,J,(Oral).

Petitioner was a Constable and after 12 years of service was imposed a major penalty of dismissal on the charges of seeking illegal gratification. The Appellate Authority reduced the punishment to stoppage of five increments with cumulative effect. The Revisional Authority reversed the appellate order and restored the initial order of punishment of dismissal. This Court in RSA 3150/2001 filed by petitioner vide order dated 11.10.2017 set aside the revisional order while restoring the appellate order of reduced punishment. Since the petitioner in the meanwhile had attained the age of superannuation, therefore, it was ordered that alongwith arrears of salary the petitioner would also be paid retiral benefits w.e.f. the date of his superannuation. Entire exercise was to be completed within three months failing which interest was liable to be paid on the due amounts @ 6% from the date of accrual till payment. Since the needful was not done within three months hence the present contempt.

Upon notice, Mr.Vashisth states that the department has filed SLP before Hon'ble the Supreme Court. He further submits that for non-compliance of the directions the consequence of payment of interest is provided in the order itself.

In view of the true import of the order, counsel for the petitioner seeks permission to withdraw the contempt so as to enable his client to file execution.

Dismissed as withdrawn with liberty aforesaid.

17.07.2018
joshi

(Jaswant Singh)
Judge

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