

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

**C.O.C.P. No. 1340 of 2017 (O&M)
Date of Decision: 26.02.2018**

Sudesh Kumar

..... Petitioner

Versus

Shri Sukhdev Singh Kahlon, Director, Public Instructions (Schools),
Punjab School Education Board, SAS Nagar, Mohali and another

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. G.P. Vashisht, Advocate
for the petitioner.

Mr. Manoj Bajaj, Additional Advocate General, Punjab
for the respondents.

JASWANT SINGH, J. (ORAL)

Petitioner (Sudesh Kumar) joined as Librarian on 08.03.1991 with the Director Public Instructions (Schools), Punjab, and is stated to have retired on attaining the age of superannuation w.e.f. 31.01.2015 from Government Senior Secondary School, Bhunga, District Hoshiarpur.

The petitioner had filed a writ petition bearing *CWP No. 15263 of 2016* seeking mandamus directions to the respondents to release the one ACP due after completion of 14 years with interest @ 18% on delayed payment.

The aforesaid writ petition was disposed of by this Court vide order dated 01.08.2016 (**Annexure P-1**) with the directions '*to the District Education Officer, Hoshiarpur (respondent No.4) or any other competent authority to decide the claim of the petitioner by passing a speaking order, as set out in the Legal Notice dated 10.03.2016 (P-5) within six months from the receipt of copy of the writ petition and certified copy of this order*'.

Since the needful was not done within the stipulated time of six months, hence the present contempt petition.

Upon notice, a reply on behalf of respondent No. 2 has been filed, wherein, in para No. 3, it is stated the claim of the petitioner for grant of benefit under Assured Career Progression Scheme on completion of fourteen (14) years service as raised by him in Legal Notice dated 10.03.2016 (**Annexure P-2**) has been considered/accepted, by passing a speaking order dated 02.08.2017 (**Annexure R-1**), copy of which also has been sent to the petitioner.

In view of above, learned State Counsel states that since the order in question has been complied with, no further action in the present contempt petition is warranted, as the same has become infructuous.

Learned counsel for the petitioner concedes the aforesaid factual position and prays for withdrawal the present petition at this stage.

Dismissed as withdrawn.

Rule is discharged.

February 26, 2018

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**(JASWANT SINGH)
JUDGE**

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