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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

COCP No.1431 of 2017 (O&M)
Date of Decision: 28.02.2018

GHAN SHYAM DASS SHARMA

..... Petitioner

Versus

SH. ANURAG RASTOGI, PRINCIPAL SECRETARY, GOVT. OF HARYANA, DEPTT. OF IRRIGATION, CHANDIGARH & OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Pritam Singh, Advocate for
Mr. Roshal Lal Sharma, Advocate
for the petitioner.

Mr. D.K. Mittal, Deputy Advocate General, Haryana
for the respondent(s)/State.

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JASWANT SINGH, J. (ORAL)

Petitioner (Ghan Shyam Dass Sharma), who was selected as Clerk/Steno-typist with the Irrigation Department, Haryana and retired from the service on 30.04.2010 after attaining the age of superannuation. He had filed a civil writ petition bearing *CWP No.25683 of 2014*, for counting his previous service rendered by him from 17.07.1974 to 31.10.1981 with Beas Construction Board (for short 'BCB'), now merging into Bhakhra Management Board *(for short 'BMB');* as also re-fixation of his pay.

The aforesaid writ petition was allowed vide order dated 25.10.2016 **(Annexure P-1)** passed by this Court with a direction to the

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respondents *'to count the previous service of the petitioner rendered by him in BMB and BCB for the purpose of grant of gratuity and other retiral benefits and also to re-fix the pay of the petitioner on the basis of last pay drawn by him in BCB'.*

Since the needful was not done, hence the present contempt petition.

Upon notice, a short reply by way of affidavit dated 03.08.2017 of the Superintending Engineer, Project Circle, Irrigation & W.R. Department, Haryana, on behalf of respondent Nos.1 to 3, has been filed, wherein it is stated that in compliance of the order dated 25.10.2016 **(P-1)**, the benefit of past service rendered by the petitioner in BMB and BCB from 17.07.1974 to 30.10.1981 has been counted for the purpose of grant of gratuity and other retiral benefits, as also pay of the petitioner on the basis of last pay drawn by him has been re-fixed vide order dated 12.07.2017 **(Annexure R-1)**.

In view of the above, learned counsel for the parties submit that the order dated 25.10.2016 **(P-1)** has been complied with, therefore, no further proceedings are warranted in the present contempt petition, as the same has become infructuous.

Dismissed as infructuous.

February 28, 2018 **(JASWANT SINGH)**
'rajneesh' **JUDGE**

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

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