

207

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCP No.2132 of 2015 (O&M)

Date of Decision: 06.07.2018

N.K. VERMA, FA & CAO (RETD.) AND OTHERS

..... Petitioners

Versus

SH. NITIN KUMAR YADAV, IAS, MANAGING DIRECTOR,
HARYANA VIDYUT PRASARAN NIGAM LTD (HVPNL),
PANCHKULA

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vishal Sharma, Advocate for the petitioners.

Mr. Hitesh Pandit, Advocate for
Mr. D.S. Nalwa, Advocate
for the respondent.

JASWANT SINGH, J. (ORAL)

The 04 petitioners, i.e. S/Shri N.K. Verma, R.P. Goel, Hem Raj Shukla and K.R. Goel, are stated to have retired on attaining the age of superannuation prior to 01.01.2006 from different ranks while being employed with the Haryana Vidyut Prasaran Nigam Ltd (HVPNL), Panchkula. They filed the present contempt by asserting that the general directions passed by a Division Bench of this Court on 17.02.2014 in 'Debi Singh Deswal and others versus State of Haryana and others' and the connected bunch of petitions, whereby it was ordered that all the retirees prior to 01.06.2006 be given benefit of re-fixation of their pension, as fixed *qua* the retirees post 01.01.2006 in terms of the directions passed by a

Division Bench of this Court in '**R.K. Aggarwal and others** versus **State of Haryana and others**' in CWP No.19641 of 2009, decided on 21.12.2012.

Since the petitioners were not extended the benefit of such general directions, they have filed the present contempt petition. Although, they have never filed a petition before this Court, seeking any such relief.

Upon notice, written statement had been filed by the respondent. In the written statement, it is submitted that the judgment passed by this Court in '**R.K. Aggarwal's case**' had been generalized by the State of Haryana vide instructions dated 06.02.2015, whereby the pension of pre 2006 pensioners was revised w.e.f. 01.01.2006 in terms of the notification dated 07.04.2009, however, the arrears have been restricted w.e.f. 06.02.2015. The respondent-Corporation had duly adopted the aforesaid instructions vide notification dated 19.02.2015 and accordingly, granted relief to the present petitioners.

At the time of hearing in the light of the stand of the respondent, the counsel for the petitioners realizes that the notification restricting the grant of arrears requires to be challenged. Hence, he prays to withdraw the present contempt petition, with liberty to the petitioners to seek the remedy, in accordance with law.

Dismissed as withdrawn with the aforesaid liberty.

July 06, 2018
'rajneesh'

(JASWANT SINGH)
JUDGE

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