

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

COCP No.2283 of 2017 (O&M)

Date of Decision: 19.02.2018

HARISH CHAND

..... Petitioner

Versus

**GARIMA MITTAL, IAS, DIRECTOR ELEMENTARY EDUCATION
HARYANA AND ANOTHER**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Anand Bhardwaj, Advocate
for the petitioner.

Mr. Indresh Goel, Additional Advocate General, Haryana
for the respondents/State.

JASWANT SINGH, J. (ORAL)

Petitioner had filed a writ petition bearing *CWP No.7188 of 2017*, seeking issuance of a writ in the nature of mandamus directing the respondents to consider and finalize his pension case, as also other retiral dues.

The aforesaid writ petition was disposed of by this Court vide order dated 06.04.2017 (**Annexure P-1**), with a direction *'to respondent Nos.1 & 2 to decide legal notice dated 12.09.2016 within two months from the date of receipt of certified copy of the order by passing a speaking order regarding the entitlement of the pensionary benefits, and in case, the respondents come to the conclusion that the petitioner is entitled to the*

pensionary benefits, the same shall be released to him along with interest as per Government instructions within one month thereafter.'

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

Upon notice, a reply stands filed, wherein it is stated that the legal/demand notice dated 12.09.2016 (**Annexure P-2**) of the petitioner has been decided by passing the speaking order dated 01.01.2018 (**Annexure R-2**), whereby his claim for arrears of pay as well as pensionary benefits has been rejected.

In view of above, learned State counsel states that the order in question has been complied with, by passing a speaking order dated 01.01.2018 (**R-2**), therefore, no further action in the present contempt is warranted, as the same has become infructuous.

Dismissed as infructuous.

However, the petitioner is still aggrieved with the order dated 01.01.2018 (**R-2**), he is free to challenge the same, in accordance with law within three months from today.

February 19, 2018

'rajneesh'

**(JASWANT SINGH)
JUDGE**

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