

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

**C.O.C.P. No.2516 of 2016 (O&M)
Date of Decision: 19.01.2018**

Hari Singh

..... Petitioner

Versus

G. Mohan Kumar, Defense Secretary, Govt. of India

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Mukesh Yadav, Advocate for the petitioner.

Ms. Anita Balyan, Advocate for the respondent.

JASWANT SINGH, J. (Oral)

This Court, while issuing notice of motion on 17.10.2016, had passed the following order:-

“ It is the contention of the learned counsel for the petitioner that despite a Division Bench of this Court setting aside the impugned order dated 22.05.2013 passed by the Armed Forces Tribunal and directing the respondents to grant disability pension to the petitioner and to consider rounding off the pension in view of letter dated 31.01.2001 issued by the department within a period of three months from the date of the order i.e. 26.05.2014, which was duly conveyed to the respondent, in response where to, a communication has been received on 21.02.2015 (Annexure P-2) indicating therein that despite of a clear order by this Court, no action has been taken by the Records The Kumaon Regt, Ranikhet. Counsel further contends that an advance notice for contempt dated 29.08.2016 (Annexure P-3) was also served upon the respondent but that also has not solicited any response till date rather the disability pension @ 40% has also been stopped, which was earlier released to the petitioner. He, thus, contends that the respondent has rendered himself liable for initiating the contempt proceedings against him under the Contempt of Courts Act, 1971.

Let notice be issued to the respondent, for 27.01.2017, to show cause as to why proceedings for contempt be not initiated against him.

Reply/compliance report to the contempt petition be filed within a period of six weeks' from the date of receipt of notice with an advance copy to the counsel for the petitioner.

In case the reply is not filed within the time stipulated, the same shall be received by the Registry on payment of ₹ 10,000/- as costs to be deposited in the account of Lawyers Welfare Fund, High Court.

Copy of this order be also sent along with the notice to respondent for information and compliance. ”

At the time of hearing, learned Counsel for the parties submit that the present petition has become infructuous as the aforesaid directions stand complied with.

Learned Counsel for the respondent undertakes to deposit the Cheque towards the aforesaid payment of ₹ 10,000/- as costs within next one week.

In view of the above, no further action is warranted.

Accordingly, the present contempt petition is disposed of as infructuous.

January 19, 2018

Gagan

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No