

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

**COCP No.3016 of 2015 (O&M)
Date of Decision: 12.07.2018**

TARA CHAND

..... Petitioner

Versus

**DR. S.S. PHULLIA, DY. COMMISSIONER, YAMUNA NAGAR,
DISTRICT YAMUNA NAGAR**

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Arun Sharma, Advocate
for the petitioner.

Mr. Jatinder Nagpal, Advocate
for the respondent.

JASWANT SINGH, J. (ORAL)

The services of the petitioner were regularized w.e.f. 01.09.2004 as a Class-IV employee by Municipal Corporation, Yamuna Nagar-Jagadhari. The petitioner on attaining the age of superannuation of 60 years retired w.e.f. 31.10.2012. The claim for counting of the previous service period of the petitioner as a daily wager w.e.f. 01.10.1993 to 01.09.2004 towards qualifying service for pension was disposed of by this Court vide order dated 24.08.2015 (**Annexure P-1**) in *CWP No.2519 of 2014*, granting the necessary relief.

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

Upon notice, a reply by way of affidavit dated 25.07.2017 of *Dr. S.S. Phulia, Deputy Commissioner, Yamuna Nagar*, has been filed, para No.4 of the same reads as under:-

“ 4. That in pursuance of orders passed by this Hon'ble Court vide its Order dated 24.08.2015 (Annexure P-1), it is humbly submitted that all the dues admissible to the petitioner have already been paid on 21.03.2016 under receipt. The details of the same is reproduced hereunder:-

<i>Monthly Pension</i>	=	<i>INR 6765/-</i>
<i>Pension Arrear</i> <i>1.11.2012 to 29.02.2016</i>	=	<i>INR 245260/-</i>
<i>Interest @ 9%</i>	=	<i>INR 35959/-</i>
<i>Commutation</i>	=	<i>INR 46155/-</i>
<i>Interest @ 9%</i>	=	<i>INR 13846/- (40 months)</i>
<i>Total Amount</i>	=	<i>INR 341220/-</i> <i>(paid on 21.03.2016) ”</i>

Learned counsel for the respondent states that in view of the payments having been made, the order in question has been complied with. He further states that thereafter on 01.12.2017, another sum of Rs.80,556/- towards outstanding claim were also paid by way of demand draft, hence, it is submitted that the order in question has been fully complied with.

In response, no counter has been filed by the petitioner, disputing the aforesaid factual position.

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

Disposed of.

Rule is discharged.

Petitioner is given liberty to approach the respondent in case of any discrepancy in the arrears by making a representation.

July 12, 2018
'rajneesh'

(JASWANT SINGH)
JUDGE

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