

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

**C.O.C.P. No.309 of 2017 (O&M)
Date of Decision: 08.02.2018**

Om Parkash

..... Petitioner

Versus

Nitin Kumar, Uttar Haryana Bijli Vitran Nigam Ltd.
through its Managing Director, Panchkula

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Naveen Daryal, Advocate for the petitioner.

Mr. P.S.Chauhan, Advocate for the respondent.

JASWANT SINGH, J. (Oral)

The petitioner had filed CWP No.2597 of 2013 seeking directions to the respondents to make adjustment of the EPF Scheme by charging 6% per annum simple interest, while relying upon a judgment of this Court passed in CWP No.2914 of 2014. The said petition was disposed of by this Court, vide order dated 24.05.2016 (**Annexure P-1**) with directions to the respondent-Department to make payment of interest to the petitioner on account of commutations of pension of Rs.1,92,490/- along with 9% interest w.e.f. 07.01.2011, the date on which the similar order was passed in CWP No.14697 of 2010, whereby the respondents were directed to count the work charged service towards regular service for grant of pensionary benefits to the petitioner therein in view of the judgment dated 26.02.2008 rendered by the Division Bench of this Court in CWP No.4763 of 2006. Since the needful was not done, hence the present contempt petition.

Upon notice, short reply by way of affidavit of Pankaj Dhawan, XEN

compliance of order dated 24.05.2016 (**P-1**), the necessary due amounts have been calculated and disbursed to the petitioner (fully detailed in Para Nos.3 to 5 of the said reply).

At the time of hearing, learned Counsel for the respondent submit that the present petition has become infructuous as the aforesaid directions have already been complied with.

In view of above, the present contempt petition is disposed of as infructuous. However, the petitioner is given liberty to approach the Department concerned regarding discrepancy, if any, in the calculations made by the Department, who shall consider the same and if the petitioner is not entitled then the Department shall pass a speaking order within a period of six months from the date of receipt of such claim.

February 08, 2018

Gagan

(JASWANT SINGH)
JUDGE

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