

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

**C.O.C.P. No. 687 of 2016 (O&M)
Date of Decision: 12.07.2018**

Mahenga Masih

..... Petitioner

Versus

T.K. Goyal, D.P.I. (Colleges), Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Daman Jeet Bhoriwal, Advocate
for the petitioner.

Mrs. Anju Sharma Kaushik, Deputy Advocate General, Punjab
for the respondent.

JASWANT SINGH, J. (ORAL)

Petitioner (Mahenga Masih) was an employee of DAV College, receiving aided grant from the Government. He was aggrieved against his non-promotion from the post of Clerk to Junior Assistant w.e.f. 05.09.1999.

The petitioner had filed a writ petition bearing *CWP No. 10391 of 2015* claiming the aforesaid relief and the said writ petition was disposed of by this Court vide order dated 21.05.2015 (**Annexure P-1**) with a direction to the Director Public Instructions (Colleges), Punjab, to take a decision on the legal notice dated 02.03.2015 by passing a speaking order within four months.

Since no speaking order was passed, hence the present contempt petition.

Upon notice, a reply stands filed. The relevant para-3 of the reply regarding compliance of order in question reads as under:-

“ That in compliance of order dated 02-03-2015, the office of Director Public Instructions (Colleges) Punjab vide order no. 14/11-2012 grant-2(3) dated 23-09-2015 had approved and verified the salary of the petitioner as Junior Assistant to Rs. 4400 with effect from 05-09-1999. Thereafter, the benefit of revised pay scale with effect from 1-1-2006 has also been granted to the petitioner vide order dated 17-12-2015 and accordingly accrued arrears amounting to Rs. 2,17,842/- has also been paid to the petitioner by the Principal of the concerned College, who has certified this fact vide letter dated 07-5-2016. A copy of the letter dated 07-05-2016 is annexed here with as **Annexure R-1**. It is pertinent to mention that the petitioner has put its receipt on the said letter.”

At the time of hearing, counsel for the petitioner has insisted upon payment of interest. The prayer is totally misplaced. In fact, the petitioner should consider himself lucky that the respondent-Department has chosen to grant him the arrears of salary etc., although by filing the writ petition in year 2015 in regard to claim with effect from the year 1999, the arrears were required to be restricted to thirty-eight (38) months prior to the filing of the writ petition.

In view of above, no further action is warranted in the present contempt petition and the same is liable to be dismissed.

Dismissed.

Rule stands discharged.

July 12, 2018

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**(JASWANT SINGH)
JUDGE**

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