

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

COCP No.663 of 2017 (O&M)

Date of Decision: 08.03.2018

ARPINDERJIT SINGH

..... Petitioner

Versus

AJAY PAL SINGH, CHAIRMAN, PUNJAB STATE CIVIL SUPPLIES
CORPORATION LTD. AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Dharmender Singh Rawat, Advocate for the petitioner.
Ms. Deepali Puri, Advocate for the respondents.

JASWANT SINGH, J. (ORAL)

The petitioner on attaining the age of superannuation stood retired on 30.06.2008 in the rank of Deputy District Manager (Accounts) with the Punjab State Civil Supplies Corporation Ltd (PUNSUP). Since his retiral benefits were not released, he filed CWP No.20233 of 2010.

During the pendency of the aforesaid writ petition, an order dated 02.10.2014 (**Annexure P-4**) came to be passed, whereby liability to pay 1/3rd of a sum of Rs.41,88,149/- was fastened upon the petitioner on account of loss caused to the Corporation.

The petitioner filed a statutory appeal before the Appellate Authority-PUNSUP against the order of recovery, and in view of the same, the aforesaid CWP No.20233 of 2010 was disposed of vide order dated 12.01.2016 (**Annexure P-1**), directing the Appellate Authority '*to decide the pending statutory appeal of the petitioner within a period of four months.*'

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

Upon notice, learned counsel for the respondents states that the statutory appeal was decided in favour of the petitioner and the recovery order set aside. Consequently, the entire amounts of admissible retiral benefits have since been released. In this regard, a short reply by way of affidavit of Dr. Amarpal Singh, IAS, Managing Director, PUNSUP, has been filed, which is taken on record. Relevant para Nos.3 and 4 of the said affidavit reads as under:-

“3. That a sum of Rs.6,40,860/- cheque No.505497 dated 16.2.2018 was paid to the petitioner towards his gratuity (Rs.3,50,000/-) and Leave Encashment (Rs.2,90,860/-).

4. That further a sum of Rs.21063/- has been paid vide cheque No.505520 dated 01.03.2018 towards the clearance of probation and arrears of pay fixation. Moreover, Rs.78,173/- towards arrears of pay fixation (applicable from 01/01/2006) has been paid vide cheque no.505521 dated 05.03.2018. It is further submitted that the differential amount of Leave encashment i.e. Rs.15,910/- due to fixation of pay and clearance of probation has also been paid vide cheque No.505533 dated 06.03.2018. Thus the entire amount stands paid to the petitioner and the order has been duly complied with by the deponent. ”

In view of the above, no further action is warranted in the present contempt petition, as the same has become infructuous.

Disposed of as infructuous.

March 08, 2018

'rajneesh'

**(JASWANT SINGH)
JUDGE**

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