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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CONT.CAS(C) 282/2011**  
**RC GUPTA**

..... Petitioner

Through: Ms. Jasneet Kaur, Adv. with Mr.  
Gaurav Chauhan, Adv.

versus

**ANIL CHOWDHARY**

..... Respondent

Through: Mr. Sudhir Nandrajog, Sr. Adv. with  
Ms. Moulshree Shukla & Mr. Aditya  
Gutpa, Adv. for R-1  
Mr. Sumeet Pushkarna, SC with Mr.  
Devanshu Lahiry, Adv. for R-2

**CORAM:**  
**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**ORDER**  
% **20.04.2018**

1. The present contempt petition has been filed alleging non compliance of order dated September 22, 2006 in W.P.(C) No. 408/2000.
2. Mr. Sudhir Nandrajog, learned Senior Counsel appearing for respondent No.1/NDPL states, in order to put quietus to the litigation and without prejudice and without admitting the liability, the respondent No.1/NDPL is ready and willing to pay ₹ 2,50,968/- against the arrears of pension including gratuity, leave encashment, commutation of pension as determined by the learned Registrar General on February 16, 2016 and noted

by this Court on September 14, 2016. He further states, further liability beyond the said amount shall be of the DVB Pension Trust.

3. Mr. Pushkarna disputes the same, as according to him the complete amount as of date need to be paid by the respondent No.1-NDPL. He concedes monthly pension has to be paid by the DVB Pension Trust. This Court is of the view that because of the inter-se disputes between the respondent No.1-NDPL and the DVB Pension Trust, the petitioner should not be made to suffer. Accordingly, it is directed that the respondent No.1-NDPL, without prejudice shall release the arrears of retiral benefits including gratuity, leave encashment, commutation of pension and arrears of pension computed till the date of the payment (which includes ₹2,50,968/-) to the petitioner within four weeks from today.

4. The aforesaid shall be subject to the litigation(s) pending between the NDPL and the DVB Pension Trust before any Court. The contempt petition is closed.

**V. KAMESWAR RAO, J**

**APRIL 20, 2018/ak**