

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

COCP No. 1291 of 2015

Date of Decision: 17.07.2019

J.D. Jain

.....Petitioner

Versus

Shri Kahan Singh Pannu

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sandeep Jain, Advocate
for the petitioner.

Ms. Deepali Puri Sandhu, Addl. AG Punjab.

AVNEESH JHINGAN, J.(oral)

This contempt petition has been filed pleading wilful disobedience of order dated 19.3.2012 passed in CWP No.8518 of 2009.

"Resultantly it is held that the order of dismissal would be converted into that of compulsory retirement w.e.f. 8.4.85. The respondents are directed to work out the retiral benefits of the petitioner from that date and remit the same to him along with arrears within a period of three months from the date of receipt of a certified copy of this order. In case the due amount is not released to the petitioner within the aforesaid period the petitioner would be entitled to 8% interest from the date/s the amount/s fell due.

The petition stands disposed of accordingly."

Affidavit of Sarvjit Singh, Principal Secretary to Government of Punjab, Water Resources Department, dated 5.3.2019 was filed pleading that the petitioner has been compulsory retired w.e.f. 8.4.1985 and the pensionary benefit along with interest as due as per the department has already been paid.

There was grievance with regard to calculation of the amount due and the

interest given thereon.

This Court vide order dated 5.3.2019 directed the State counsel to place on record the calculation chart. The same has been filed today along with affidavit dated 17.7.2019 which are taken on record and copies supplied to counsel for the petitioner.

The petitioner has certain grievance with regard to interest part and the amount paid to him.

In view of the affidavit filed, no cause of action survives for pressing the present contempt petition. The same is disposed of as infructuous.

However, with regard to grievance against calculation, the petitioner shall file representation along with the calculation to the respondent which shall be decided in accordance with law within two weeks after providing opportunity of hearing to the petitioner by passing a speaking order.

17.07.2019
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No