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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-1818-2016 (O&M)

Date of decision: 27.11.2019

SOHAN SINGH

.. PETITIONER

VERSUS

VED PARKASH TANEJA AND ORS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Surinder Garg, Advocate &
Mr. Sukhdeep Singh Bhinder, Advocate
for the petitioner.

Mr. Harbans Lal Sharma, Advocate
for the respondents.

AVNEESH JHINGAN, J. (Oral)

The petitioner filed a writ petition seeking direction to the respondents for releasing of arrears of pay, retiral benefits. The writ petition was disposed of on 14.12.2015, the competent authority was directed to decide the legal notice dated 29.09.2015. Further direction was that benefits, if any, found due to the petitioner shall be released within six weeks thereafter.

Learned counsel for the respondents has produced audit report dated 29.05.2014, speaking order dated 26.09.2019, Bank statement dated 31.03.2017 & affidavit of President dated 26.11.2019 in Court today and the same are taken on record. The copies of the same are handed over to the learned counsel for the petitioner.

As per the audit report and order dated 26.09.2019, there was a due amount found on respondent is ₹ 5,81,091/- out of the said amount there is a recovery found due ₹ 2,11,131/- of the loan taken by the petitioner.

Learned counsel for the parties are ad idem that ₹ 2,75,000/- has been paid to the petitioner and there is balance amount of ₹ 94,961/-.

Learned counsel for the respondents, on instructions, states that the said amount would be credited in the account of the petitioner within two weeks from today.

Learned counsel for the petitioners submits that the amount due has not been correctly calculated. The gratuity amount has wrongly been restricted to ₹ 3.05 lacs whereas the petitioner is entitled to ₹5,51,000/-. The grievance is raised that Dearness Allowance has not been paid.

To resolve the controversy, let petitioner file a detailed representation with his calculations to the Deputy Registrar, Cooperative Societies, Muktsar District Sri Muktsar Sahib. The said representation be decided in accordance with law after providing an opportunity of hearing. The decision be taken within eight weeks from the receipt of the representation. In case, any amount is still found due, the same would be disbursed within six weeks thereafter.

In view of the above, the contempt petition is disposed of. However, in case, the amount of ₹ 94,961/- is not credited in the account of the petitioner within two weeks from today, the petitioner would be at liberty to revive the contempt petition.

It is further clarified that in case, the petitioner is forced to revive the contempt petition, an advance copy of the application be served on the President of the Society one week before and he shall remain present on the date fixed.

Rule issued against the respondents is discharged.

27th November, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No