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

**COCP No.2104 of 2018
Date of Decision: 08.07.2019**

Mohinder Kumar Sharma

Petitioner

Versus

Dr. Nirmaljit Singh Kalsi, Additional Chief Secretary, Department of Home Affairs, Law and Justice, Punjab, Chandigarh and others

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

None for the respondents.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 12.03.2018 passed by this Court in CWP No.1521 of 2014. Operational part of the order is reproduced below:-

“Petitioner is stated to have retired on 31.05.2007. While he was in service, he was subjected to disciplinary proceedings which were concluded in exoneration in 2 matters on 16.04.2011 and 16.11.2011. In this background, official respondents have settled petitioner's claim of retiral benefits on 09.02.2012. The petitioner is entitled to interest on belated settlement of retiral benefits in view of his exoneration on 16.4.2011 and 19.4.2011. Even though official respondents have proceeded to settle petitioner's retiral benefits as and when he has been exonerated and it was settled on 09.02.2012,

having regard to the exoneration in the disciplinary proceedings petitioner is entitled to interest on belated settlement of retiral benefits w.e.f. 01.09.2007 while taking 3 months from the date of retirement for process of the papers. Therefore, the official respondents are hereby directed to calculate interest on belated settlement of retiral benefits @ 9% per annum during the period from 01.09.2007 to 09.02.2012 and disburse the same within a period of 3 months from today.

Petition stands allowed.”

Learned counsel for the petitioner fairly states that State has filed LPA against the said order and stay has been granted.

In view of statement of learned counsel for the petitioner, the contempt petition is disposed of with liberty to the petitioner to revive the same if something survives after decision of the LPA.

**[AVNEESH JHINGAN]
JUDGE**

July 08, 2019

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	No