

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 2134 of 2017

Date of Decision: 16.08.2019

Smt. Pawan Kumari

.....Petitioner

Versus

Shri Sibin C. Director and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. G.P. Vashisht, 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 10.3.2017 passed in CWP No. 22173 of 2014.

The relevant portion of the order is quoted below:

"The case of the petitioner is squarely covered by the said authority. Therefore, the entire service of the petitioner is to be treated as qualifying service for the purpose of pension and pensionary benefits. So far as the CPF share is concerned, since the petitioner has already retired from service and might be facing financial hardship, therefore, the respondents are ordered to count the entire service of the petitioner as qualifying service and allow her pension after deducting the contribution of the petitioner towards CPF, along with interest @ 9% per annum and adjust the same against the arrears of pension. The remaining arrears, if not paid, be paid along with pension which shall be released by respondent Nos.4 and 5 to the petitioner within three months from the date of receipt of certified copy of this order after calculating and refixing the pension."

Needless to say that the petitioner shall also be entitled for interest on the arrears of pension, if found payable, starting three months from the date of retirement till its payment.

Learned counsel for the petitioner states that the petitioner has received the amount but there is some dispute with regard to the amount released towards gratuity and interest calculated.

Learned State counsel on instructions from Avtar Singh, Senior Assistant, DRDP, Punjab, states that in case the petitioner makes a representation raising her grievance and giving the detailed calculation, the same would be considered in accordance with law and would be decided by passing a speaking order after granting an opportunity of hearing.

The contempt petition is disposed of with direction that in case, such a representation is made, the same would be decided by the respondents expeditiously and not later than three months from the receipt of the representation.

(AVNEESH JHINGAN)
JUDGE

16.08.2019

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Whether speaking/reasoned	Yes
Whether Reportable:	No