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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-2193-2017

Date of decision: 13.09.2019

SUBA SINGH

.. PETITIONER

VERSUS

PRANAB KISHORE DASS AND ORS.

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.K.Goel, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG. Haryana.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 04.05.2016 passed by this Court in CWP No. 3517 of 2015. The operative part of the order is reproduced below:

“In view of above, the writ petition is allowed. The impugned order dated 14.01.2015 (Annexure P-8) is hereby set aside and directions to the respondents' authorities to count the service period of the petitioner w.e.f. 22.02.1973 to 28.12.1978 for the purpose of ACP benefits and pass appropriate orders for grant of 3rd ACP scale, within a period of three months. Since, the petitioner has retired in the year 2009, therefore, after fixing his pay in the 3rd ACP scale, he shall be held entitled arrears of pension from the date of his retirement i.e. 30.09.2009.”

In pursuance to order dated 11.09.2019, affidavit of

Sh. Pardeep Kumar, Director, Elementary Education, Haryana Panchkula

has been filed today in Court and a chart of payment along with the documents showing the calculations with regard to ACP granted to the petitioner has been produced and taken on record. A copy of the same are handed over to the learned counsel for the petitioner. In the affidavit, it is pleaded that the payments of the arrears of the pension have been sent to Punjab National Bank, Kutail in Account No. 0722000300109561 of the petitioner.

Learned counsel for the petitioner submits that in view of the affidavit filed no cause of action survives for pursuing the contempt petition. However, he seeks liberty to avail remedies in accordance with law, if aggrieved from the calculations or with regard to the ACP.

Disposed of as infructuous with liberty as prayed for.

Rule issued against the respondent is discharged.

13th September, 2019
JHINGAN)*shabha*
JUDGE

(AVNEESH

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*