

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

COCN No. 3327 of 2018

Date of Decision: 19.09.2019

Sh. Yashpal

.....Petitioner

Versus

Sarvjit Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Amit Kaith, Advocate
for the petitioner.

Ms. Deepali Puri Sandhu, Addl. AG Punjab
with Mr. Dilraj Singh, IAS, Director, State Transport, Punjab.

AVNEESH JHINGAN, J.(oral)

The grievance in the present contempt petition is with regard to violation of stay of operation of show cause notice dated 12.10.2015. Show cause notice was issued for withdrawal of the promotion wrongly given w.e.f. 15.6.1993.

During the pendency of the writ petition, the petitioner has retired. There is no dispute to the fact that Group Insurance Scheme (GIS) amount has been paid to the petitioner. The gratuity and leave encashment was released provisionally after deducting amount which the petitioner may not be entitled to, in case it is held that the promotion was wrongly given w.e.f. 15.6.1993. The writ petition on the said issue is pending since 2016.

Learned State counsel states that an application has been made for vacation of stay.

The grievance of learned counsel for the petitioner is that the petitioner is being denied benefit of retirement benefits in spite of stay order.

In order to resolve the controversy, both the parties are *ad idem* that let the amount deducted from leave encashment and gratuity be kept in FDR in a nationalized bank, subject to outcome of the writ petition.

In view of the above, the contempt petition is disposed of.

Let the amount deducted be kept in FDR within four weeks from today.

19.09.2019
reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No