

224

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

**COCP No.3561 of 2018
Date of Decision: 08.07.2019**

Prem Parkash Malhotra

Petitioner

Versus

IAS Arun Kumar Gupta, Home Secretary, Chandigarh Administration

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Ranjana Shahi, Advocate
for the petitioner.

Mr. Vishal Sodhi, Additional Government Pleader,
Chandigarh Administration
for the respondent.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 18.05.2015 passed by this Court in CWP No.9859 of 1997. The operational part of the order is reproduced below:-

“[9] For the reasons afore-stated, the writ petition is allowed in part. While the Tribunal's order dated 30.06.1997 in declining the pay-scale of Rs.2200-4000 or the subsequent revised pay-scales, is upheld but the show cause notice dated 22.08.1997 and the order dated 28.08.1997 are hereby quashed. Resultantly, the petitioner shall be entitled to refixation of his pension and retiral benefits in the revised payscale of Rs.700-1600 or the corresponding revised pay-scale, in accordance with law. The consequential arrears

alongwith interest thereon @ 7% per annum, shall be released to the petitioner within a period of four months from the date of receiving a certified copy of this order.”

Learned counsel for the respondent has filed reply today in the Court, same is taken on record. Copy of reply is handed over to learned counsel for the petitioner. Alongwith the reply, order dated 06.07.2019 passed by the Director, Government Museum and Art Gallery, Chandigarh has been annexed.

Learned counsel for the respondent states that order of this Court has been complied with. It has been held that after fixation, pay of the petitioner comes to ₹9,750/- whereas he has already drawn pay of ₹11,230/-. Taking a lenient view, last pay drawn by the petitioner has been protected.

Learned counsel for the petitioner states that grievance still survives.

In view of order passed, the present contempt petition is disposed of as infructuous. The rule issued against the respondent is discharged.

The petitioner would be at liberty to avail remedies in accordance with law, if he is aggrieved of order dated 06.07.2019.

**[AVNEESH JHINGAN]
JUDGE**

July 08, 2019

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