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

**COCP No.3879 of 2018
Date of Decision: 12.09.2019**

Sat Narain Sharma

Petitioner

Versus

Ram Niwas, IAS, Additional Chief Secretary, Government of
Haryana, Department of Home and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. U.K. Agnihotri, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 13.12.2016 passed by this Court in CWP No.4879 of 2013.

In the writ petition, compulsory retirement of the petitioner was set aside and was ordered to be reinstated in the service. There were certain excess payments in favour of the petitioner for the period from 01.02.2008 to 31.12.2008, it was held that respondents cannot charge interest on said amount but petitioner has to refund the excess amount. The difference in amount of Death -cum- Retirement Gratuity was to be released. The monthly salary was to be paid after deducting the pension already paid to the petitioner. It was further held that the respondents would not be entitled to

charge interest on the amount of pension wrongly released to the petitioner. The contention raised by learned counsel for the petitioner that a sum of ₹1,91,412/- was withheld without assigning any reason, was accepted and directions were issued that if it is so, the same be released.

Pursuant to notice of motion, reply has been filed stating that the due amount after adjustment has been released to the petitioner. It is pleaded that legal notice was served after receiving the amount by the petitioner, considering the same certain amount was found due and was paid.

Learned counsel for the petitioner states that though payment was made but detailed calculation has not been provided.

Learned State counsel submits that calculation would be provided within four weeks from today.

In view of reply filed and statement made, the contempt petition is disposed of.

Needless to add that in case petitioner is aggrieved of the calculation made, he would be at liberty to avail remedies in accordance with law.

The rule issued against the respondents stands discharged.

[AVNEESH JHINGAN]
JUDGE

September 12, 2019

pankaj baweja

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