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

**COCP No.194 of 2019
Date of Decision: 17.07.2019**

Nirvail Singh

Petitioner

Versus

Manjit Singh Narang, Managing Director, Pepsu Road Transport Corporation, Patiala

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Jasleen Kaur, Advocate for
Mr. Vikas Chatrath, Advocate
for the petitioner.

Mr. Ankit Aggarwal, Advocate for
Mr. Anupam Singla, Advocate
for the respondent.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 18.09.2017 passed by this Court in CWP No.26518 of 2014.

The operational part of the order is reproduced below:-

“14. A period of more than one year has elapsed from passing of judgment dated July 23, 2016 in CWP No.26520 of 2014 and respondent – PRTC must have earned the amount. No straight jacket formula can be formulated or projected for providing a specific time to disburse the various retiral benefits, however, considering the various judgments as well as financial constraints, PRTC is directed to evolve some

source(s) to arrange the money to be paid to the petitioners who owe large responsibilities/liabilities of their families to discharge after retirement. Thus, this Court is of the considered view that it would be apt, proper and justifiable to direct the respondent – PRTC to make the payment(s) within a period of six months from the date of receipt of certified copy of this judgment. The respondent – PRTC is further directed to release the benefit(s), if any, still remains to be paid to the petitioner within the aforesaid stipulated period alongwith interest as observed above.

15. As an offshoot of the aforesaid discussion, petitioner shall be entitled to interest @ 9% per annum on the delayed payment after expiry of three months period from the date of his retirement till its actual payment which shall be paid by the PRTC within a period of six months.

16. Petition stands disposed of accordingly.

17. However, in case, the petitioner still feels aggrieved of the order passed by concerned authority, he shall be at liberty to approach this Court.”

The respondent has filed the reply by way of affidavit of Gurlovleen Singh Sidhu, Managing Director, Pepsu Road Transport Corporation, Patiala, same is taken on record. Copy of reply is handed over to learned counsel for the petitioner. It has been stated that interest on Gratuity, Leave Encashment and General Provident Fund has been calculated. Interest calculated on General Provident Fund has been given to the petitioner through cheque and interest on Gratuity and Leave Encashment has been transferred to Depot concerned for depositing the same in the savings bank account of the petitioner.

Learned counsel for the respondent states that interest shall be transferred to the petitioner within two weeks from today.

In view of reply filed and statement made by learned counsel for the respondent, learned counsel for the petitioner states that no cause of action survives for pursuing the contempt petition.

The contempt petition is disposed of as infructuous.

It is clarified that Writ Court has already granted liberty to the petitioner to approach this Court, if aggrieved of order passed by the respondent.

The rule issued against the respondent is discharged.

[AVNEESH JHINGAN]
JUDGE

July 17, 2019

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