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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-598-2019
Date of decision: 16.09.2019

SHIVDEV SINGH

.. PETITIONER

Versus

DR NIRMALJIT SINGH KALSI SECRETARY AND ORS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Vivek K. Thakur, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab
for respondent No. 3.

Mr. H.S.Jugait, Advocate
for respondent No. 4.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 07.08.2018 passed by this Court in CWP No. 19851 of 2016. The operative part of the order is reproduced below:

“In the light of what has been discussed above, instant petition is disposed of with a direction to the respondents to consider the claim of the petitioner for grant of pensionary benefits alongwith interest within a period of three months from the date of receipt of a copy of this order and thereafter, if there is no legal impediment and petitioner is found entitled, same be released within a period of one month.

No order as to costs.”

Reply by way of affidavit of Faisal Imam, Accountant General

on behalf of respondent No. 4, filed in Court, is taken on record, a copy of

is handed over to learned counsel for the petitioner.

As per reply, order dated 17.05.2019 regarding gratuity and commutation of pension has been passed, the same is annexed with the reply.

From perusal of the said order, it is forthcoming that in compliance of the order of this Court, the pensionary benefits i.e. Pensions, gratuity and commutation of pension etc. have been sanctioned and payments have been processed by the Accountant General also.

Learned counsel for respondent No. 3, on instructions from Baldev Singh, SI, submits that the petitioner has to comply with certain formalities with Treasury Office, Kapurthala to receive the payment. On doing the needful, the payment shall be released to the petitioner expeditiously. He further submits that the only decision remains to be taken is with regard to the interest to be paid to the petitioner. He states that speaking order with regard to the interest would be passed within three months from today after affording hearing to the petitioner.

Learned counsel for the petitioner submits that the petitioner would complete the formalities with the Treasury Office, Kapurthala immediately. He seeks liberty to raise grievance with regard to the calculations of the pensionary benefits, if any. He further seeks liberty to challenge the order, in case, need so arises, after the decision of the claim with regard to the interest.

The contempt petition is disposed of with the direction that in case, the needful is done by the petitioner for completing the formalities, the payment would be credited in the account of the petitioner within six weeks, thereafter.

Needless to say that the petitioner would be at liberty to avail remedies in accordance with law, if aggrieved of calculations of pensionary benefits and against the order passed for the claim of the interest.

Rule issued against the respondent is discharged.

16th September, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*