

241

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-1485-2019
Date of decision: 06.09.2019

DURGA DEVI

.. PETITIONER

VERSUS

A VENU PRASAD AND ORS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Davinder Kumar, Advocate for
Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

Mr. Aman Sharma, Advocate
for respondent No.3.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 13.11.2018 passed by this Court in CWP No. 14285 of 2016. The operative part of the order is reproduced below:

“In view of the above, the present writ petition is disposed of with direction to the respondents to make payment of retiral benefits of petitioners No.1 and 3 alongwith interest at the rate of 9% per annum on the delayed payment, within a period of three months.”

A short reply by way of an affidavits of Sh. Karnesh Sharma, IAS, Director, Department of Local Government of Punjab, Chandigarh and Sh. Surinder Kumar, Executive Officer, Municipal Council Rampura Phul, District Bathinda, respondent No. 3, filed in Court today, are taken on record. A copy of the same are handed over to learned counsel for the

petitioner. In the reply, order dated 07.08.2019 has also been annexed wherein it has been stated that the petitioner was found entitled to the payment of Rs. 17,55,128/- and the said amount has been paid.

Learned counsel for the petitioner submits that in view of the reply filed, no cause of action survives for pursuing the contempt petition. However, he seeks liberty to avail remedies in accordance with law, if aggrieved of the calculations made.

Disposed of with liberty as prayed for.

Rule issued against the respondents is discharged.

6th September, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

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