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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCN No.1707 of 2019
Date of Decision: 27.08.2019

Raj Pal Chauhan

Petitioner

Versus

Vijay Kumar, Director, Development and Panchayat Department,
Chandigarh

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. V.B. Aggarwal, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 11.09.2015 passed by this Court in CWP No.15334 of 2014.

The relevant portion of the order is reproduced below:-

“Therefore, the respondents are directed to release withheld gratuity amount to the petitioner along with interest @ 9% per annum. The respondents are directed to pass order regularizing the suspension period within 3 months from today in accordance with rules or regulation. Further to under take revision of pay scales with reference to 5th and 6th Pay Commission and to refix petitioner's pay and arrears should be paid to the petitioner within a period of 6

months from today.

The respondents are also directed to pay interest on GPF and leave encashment which was settled belatedly @ 9% per annum.”

On the last date, Sanjeev Kumar, Clerk, BDPO, Ladwa, Kurukshetra had travelled from Ladwa and appeared before this Court without any instructions. He stated that he was directed by Ms. Nirmala, Superintendent, to appear in the Court. The Director was called in person to explain that why an official from Ladwa was asked to appear in the Court whereas respondent's office is situated at Chandigarh.

Sh. Sushil Sarwan, IAS, Director, Development and Panchayat Department is present in the Court and states that the matter is being looked into and appropriate action would be taken against the defaulting officer. He assures that compliance report of the said enquiry would be produced and placed on record within three months.

Compliance report annexing order dated 21.08.2019 has been filed today in the Court, same is taken on record. Copy of compliance report is handed over to learned counsel for the petitioner.

Learned counsel for the petitioner, after going through the compliance report, states that no cause of action survives in the contempt petition. However, he seeks liberty to avail remedies against order dated 21.08.2019, in accordance with law as still some

grievance survives.

The contempt petition is disposed of as infructuous with liberty as prayed for.

The rule issued against the respondent stands discharged.

[AVNEESH JHINGAN]
JUDGE

August 27, 2019

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