

252

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-1735-2019
Date of decision: 12.09.2019

RAMESH CHAND BHARDWAJ .. PETITIONER

VERSUS

P.K. DASS AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P.K.Kataria, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG. Haryana.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 30.10.2018 passed by this Court in CWP No. 8347 of 2016. The operative part of the order is reproduced below:

“In view of the above discussion, the petitioner is held entitled to the higher pay scale from the date he had assumed the charge of the post of Superintendent with all consequential benefits. His pay is ordered to be refixed and the arrears thereof be paid along with interest at the rate of 6% per annum, within a period of three months from the date of receipt of certified copy of this order.

The petition stands allowed accordingly.”

Learned State counsel has produced an order dated 04.09.2019 which is taken on record. A copy of the order is handed over to the learned counsel for the petitioner.

As per the said order, the directions of this Court has been complied with. The petitioner has been given higher pay scale w.e.f 04.08.2011 to November, 2014 along with interest at the rate of 6% per annum. However, the said decision is subject to the outcome of the SLP preferred by the respondents.

Learned State counsel, on instructions from Sh. Amanpreet Singh Randhawa, Legal Asstt. HRME-II, Branch, Director Secondary Education Haryana, submits that the consequential benefits would be released within eight weeks from today subject to outcome of the SLP.

Learned counsel for the petitioner submits that in view of the statement made by learned State counsel today in Court, no cause of action survives for pursuing the present contempt petition. However, he seeks liberty to revive the contempt petition, in case, the statement made by learned State counsel today in Court is not adhered to.

Disposed of as infructuous with liberty as prayed for.

Rule issued against the respondent is discharged.

12th September, 2019

shabha

**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*