

250

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

**COCP No.1943 of 2019
Date of Decision: 01.10.2019**

Dalip Singh

Petitioner

Versus

Birender Singh, Engineer-in-Chief, Irrigation and Water Resources
Department, Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Mohinder Pal, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 25.10.2018 passed by this Court in CWP No.27181 of 2018.

The relevant portion of the order is reproduced as under:-

“In view of above, present writ petition stands disposed of with the directions to the respondents to look into legal notice dated 16.10.2017 (Annexure P13) and take the required decision thereon, expeditiously and preferably within a period of three months from the date of receipt of a certified copy of this order.”

Pursuant to notice of motion, reply was filed annexing order dated 19.07.2019.

Learned counsel for the respondent, on instructions from Mr. Harpal Ram, Clerk submits that order has been passed as per directions of this Court and accordingly revised pension and gratuity is sanctioned by the Accountant General, Haryana. However claim with regard to arrears have been rejected. He states that amount of revised pension and gratuity will be paid within four weeks.

In view of reply filed and statement made, learned counsel for the petitioner states that no cause of action survives for pursuing the contempt petition. However, he seeks liberty to avail remedies in accordance with law with regard to rejection of claim of arrears of 38 months.

In view of above, contempt petition is disposed of with liberty as prayed for.

However, it is made clear that if statement made today in the Court is not adhered to, petitioner would be at liberty to revive the contempt petition. In case petitioner is forced to do so, costs may be imposed which shall be personally recoverable from the defaulting officers/officials.

[AVNEESH JHINGAN]
JUDGE

October 01, 2019

pankaj baweja

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