

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

COCN No. 3096 of 2019

Date of Decision: 21.11.2019

Nasib Singh and others

.....Petitioners

Versus

Dr. Roshan Sunkaria and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Neeraj Sharma, Advocate
for the petitioners.

Mr. Aditya Sharda, AAG Punjab.

AVNEESH JHINGAN, J.(oral)

The petitioners filed a writ petition for grant of pensionary benefits under the Old Pension Scheme, along with interest. The writ petition was disposed of on 22.1.2019 directing the respondents to decide the legal notice dated 1.8.2018. Needful was to be done within three months from the date of receipt of certified copy of the order and in case the petitioners were found entitled to monetary benefits, the same were to be released within next three months. As the needful was not done by the respondents, the petitioners filed the present contempt petition.

On 5.9.2019 learned State counsel took time to have instructions with regard to the pleadings in the contempt petition.

Today Ms. Jaswinder Kaur, Superintendent and Mr. Balwinder Singh, Clerk, are present in Court. It is submitted that though these two officials have come present in Court but the reply is with some third official namely Sh.Guraman Preet Singh, who has not been able to reach the Court.

The conduct of the respondent/department i.e. Department of Forest and Wildlife Preservation, Punjab, itself speaks enough of its working. The officials who are not familiar with the facts and are not having relevant instructions/documents have missed their office to attend the High Court proceedings and the official concerned who had instructions and as per the contention of the officials present was having the vetted reply, is not present.

Let Financial Commissioner-cum-Additional Chief Secretary, Department of Forest and Wildlife Preservation, Punjab, shall have look into the matter.

At a later stage, learned State counsel made a request that now the third official i.e. Sh.Guraman Preet Singh, who was having the vetted reply has reached the High Court premises at 11:10 a.m. He requests for recalling of the earlier order. The request is rejected. However, on his request, pass-over is granted to ensure if the counsel for the petitioners is present.

After pass-over

Reply by way of affidavit of Mr. Jitendra Sharma, IFS, Principal Chief Conservator of Forests (HoFF), Department of Forest and Wildlife Preservation, Punjab, is filed and the same is taken on record, copy supplied to counsel for petitioners. Along with reply, orders dated 30.8.2019 and 29.10.2019 are annexed.

Learned counsel for respondents submits that the claim of the petitioners have been accepted.

Learned counsel for the petitioners states that albeit the claim is accepted but no pensionary benefits has been released.

Learned State counsel on instructions states that the matter is pending for sanction and the deponent has instructed that he will ensure that the amounts are credited to the account of the petitioners within eight weeks from today.

In view of statement made, the contempt petition is disposed of.

In case the needful is not done the petitioners shall be at liberty to review the contempt petition if still some grievance survives.

Copy of this order be sent to Chief Secretary, Punjab, to highlight the working of the officials of the respondent/department.

21.11.2019

reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No