

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

COCP-1216-2020

Date of Decision : 07.07.2020

Rajesh Kumar Jindal and anotherPetitioners

versus

Anirudh Tiwari and othersRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. H.S. Dhindsa, Advocate for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.

2. Learned counsel contends that vide order dated 24.05.2017, in CWP No.28518 of 2013 and connected petitions, orders impugned therein i.e. dated 01.07.2011, 01.12.2011 and 23.05.2013 were quashed and respondents were directed to include NPA in the basic pay of retirees prior to 1.1.2006 also and calculate their pension with effect from 1.1.2006 with arrears from 01.01.2006 but the interest was restricted for a period of 38 months from the date of filing of the writ petition with the exercise of re-fixation of the pension of the petitioners-doctors, who were pre-1.1.2006 retirees to be done within three months from the date of receipt of certified copy of the judgment and thereafter to release the revised pension with arrears and interest before the date of filing of the writ petitions, till the date of payment. It was further directed that the same benefit be also extended to other similarly situated employees, who had not approached Court. Learned counsel contends that the petitioners, who are similarly situated as petitioners in CWP No.28518 of 2013 and other connected matters, served legal notice Annexure P/6 dated 18.03.2020 on the respondents seeking compliance of order dated 24.05.2017, passed by this Court in CWP No.28518 of 2013, in case titled as Dr. Baldev Raj Bhandari and others vs. State of Punjab and others, but no action has been taken in the matter till date.

3. Notice of motion.

4. Ms. Anu Pal, DAG, Punjab, accepts notice on behalf of the respondents and on instructions from Dr. Shaminder Singh Kang, Nodal Officer, Litigation Department of Health and Family Welfare, Punjab, states that order of this Court dated 24.05.2017, in CWP No.28518 of 2013, in case titled as Dr. Baldev Raj Bhandari and others vs. State of Punjab and others, could not be complied with earlier due to large number of cases to be processed as well as on account of prevailing Covid-19 pandemic, however, the orders would be complied with within a period of 10 weeks from today.

5. The same satisfies learned counsel for the petitioners.

6. Accordingly, the contempt petition is disposed of in terms of the undertaking by Dr. Shaminder Singh Kang, Nodal Officer, Litigation Department of Health and Family Welfare, Punjab made through learned DAG, Punjab. The respondents are directed to do the needful in compliance with the orders of this Court dated 24.05.2017, passed in CWP No.28518 of 2013, in case titled as Dr. Baldev Raj Bhandari and others vs. State of Punjab and others, within 10 weeks from today.

(B.S. Walia)
Judge

07.07.2020

rajesh/rajneesh

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