

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP-1349-2020

Date of decision: July 20, 2020

Ajaib Singh Sandhu and others

....Petitioners

Versus

Anirudh Tiwari and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Ms. Deepali Puri, Additional AG, Punjab.
(through video conferencing).

ARVIND SINGH SANGWAN, J. (Oral)

The parties are *ad idem* that this petition be disposed of in terms of the order dated 15.7.2020 passed in COCP-1038-2020 'Randhiraj Singh Sandhu Vs. Anirudh Tiwari and others'. The operative part of the order reads as under :-

"This petition has been filed alleging contempt of order dated 24.05.2017 in CWP No.28518 of 2013 as well as connected petitions.

The respondents in CWP No.28518 of 2013 and connected matters, vide order dated 24.05.2017 were directed to include Non-Practicing Allowance (NPA) in the basic pay of the retirees prior to 01.01.2006 and calculate their pension w.e.f. from the said said date. Interest was however restricted to 38 months from the date of filing of the writ petition. It is further directed that this benefit shall be extended to similarly situated employees who had not approached the court. The petitioner in the present petition is similarly situated as the petitioners in CWP No.28518 of 2013 and the connected matters. Legal notice dated 18.03.2020 (Annexure P6) was served by him. Notice of motion had been issued in this case.

Ms. Simram Grewal, AAG, Punjab, on instructions from Dr. Shaminder Singh Kang, Nodal Officer, Litigation, Health and Family Welfare, Punjab, submits that order dated 24.05.2017 could not be complied with earlier due to the fact that a large number of cases were to be processed. The matter was further delayed due to outbreak of the pandemic, COVID-19. In a similar petition, COCP No.3708 of 2019, a period of ten weeks has been afforded to the respondents to comply with the order. It is undertaken that order dated 24.05.2017 shall be complied with within ten weeks from today.

Learned counsel for the petitioner submits that no grievance subsists in case necessary action is taken within ten weeks.

Accordingly, the present petition is disposed of at this stage, in terms of the undertaking of Dr. Shaminder Singh Kang, Nodal Officer, Litigation, Health and Family Welfare, Punjab as conveyed to this Court.

A specific affidavit of the said officer, in this respect be, however, filed within one week in the present case.

Necessary compliance of order dated 24.05.2017 in CWP No.28518 of 2013 and connected matters be thus carried out within ten weeks from today”

In view of the same, this petition is disposed of.

It is directed that necessary compliance of order dated 24.5.2017 in CWP No. 28518-2013 be carried out within a period of 10 weeks from today.

July 20, 2020
satish

(ARVIND SINGH SANGWAN)
JUDGE