

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.2777 of 2020

Date of Decision : 17.12.2020

Anoop Singh

...Petitioner

Versus

Parmod Singh

....Respondent

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

Present : Mr. Aman Dhir, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Prayer in the petition under Sections 11 & 12, Contempt of Courts Act, 1971, is for initiating action against the respondent for non compliance of orders dated 03.07.2017, 06.07.2017, 23.04.2018, 10.10.2018, 26.11.2018, 10.01.2019 and 09.07.2019 i.e. Annexures P-1 to P-7, passed by this Court in CWP No.18756 of 2011 besides undertaking given in the said case vide affidavit (Annexure P-8) dated 23.07.2019 in CWP No.18546 of 2012.
3. Issue notice to the respondent to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for non-compliance with the aforementioned orders, as well as undertaking, referred to above.
4. Mr. Rajesh Hooda, Advocate, who is present, accepts notice on behalf of the respondent and has placed on record copy of order dated

03.12.2020, making payment of Rs.4,96,608/- on account of refund along with interest of Rs.5,67,810/- deposited by the petitioner in view of his request for refund of the aforementioned amount.

5. Learned counsel for the respondent states that the revised pension was not payable to the petitioner in view of his having sought refund of the amount, deposited by him, and the same having been refunded vide order dated 03.12.2020.

6. Learned counsel for the respondent on instructions from the respondent states that even at this stage, if the petitioner is interested in getting revised pension, he would be required to deposit the amount as per the contributions payable on actual salary of the petitioner for which he may submit an application along with the amount, in question in order to be considered for grant of revised pension on higher rate.

7. Faced with the aforementioned situation, learned counsel for the petitioner, states that he does not press the contempt petition and may be permitted to withdraw the same, with liberty to submit an application along with the requisite contributions in terms of statement made by learned counsel for the respondent in order to be considered for release of pension on higher rate.

8. In view of the position as noted above, as well as the statement of learned counsel for the petitioner, the contempt petition is ***dismissed as withdrawn***, with the liberty, as prayed for.

(B.S. Walia)
Judge

December 17, 2020

'Rajneesh-Amit'

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