

COCp-2776-2018

Date of Decision :29.09.2022

NATHA RAM

...Petitioner

Versus

JASPREET TALWAR AND OTHERS

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. J.S. Lalli, Advocate for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/1, dated 04.12.2017 in CWP No.7848 of 2011 in case titled as Natha Ram vs. State of Punjab and Ors.

[2] A perusal of order, Annexure P/1 dated 04.12.2017 reveals that office order dated 24.05.2010 refixing the pay of the petitioner in the revised pay scale of Rs.10,300-34,800 + 3200 Grade Pay (Basic Pay Rs.18,230) was held not sustainable in the eyes of law and was accordingly set aside. Writ petition was allowed and the respondents were directed to re-fix the pay of the petitioner in the revised pay scale pursuant to Punjab Civil Services (Revised Pay) Rules, 2009 w.e.f. 01.01.2006 at par with the employee junior to the petitioner namely Jarnail Singh and by granting all consequential benefits arising therefrom within three months from the date of receipt of certified copy of the judgment and on failure to pay the amount in question within the stipulated period of time, the

respondents were directed to pay interest @ 9% per annum from the date of institution of the writ petition till date of actual payment.

[3] At the outset, learned counsel for the petitioner states that although the respondents have refixed the pay of the petitioner vide order Annexure R/1 dated 03.05.2019 but the same is not as per entitlement, and in the circumstances, the petitioner does not press the instant petition but prays for grant of liberty to challenge order, Annexure R/1 dated 03.05.2019 as also the calculations supplied along with to the extent the same is adverse to the interest of the petitioner by way of appropriate proceedings in accordance with law.

[4] In view of the position noted above, as well as statement of learned counsel for the petitioner, the instant petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971, while granting liberty to the petitioner, as prayed for.

[5] Rule discharged.

(B.S. Walia)
Judge

29.09.2022
'Amit'

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