

[124] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.732 of 2022

Date of Decision : 05.09.2022

Mangat Ram Sharma

...Petitioner

versus

Nar Sher Singh, Director Prosecution, Haryana

....Respondent

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

Present : Mr. S.K. Verma, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiation of proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 23.12.2021, in CWP No.26696 of 2021 in case titled as '**Mangat Ram Sharma versus The State of Haryana and others**'.

[2] A perusal of order (Annexure P-1), reveals that CWP No.26696 of 2021, was disposed of by directing the respondent to decide legal notice dated 22.04.2021 filed by the petitioner within three months from the date of receipt of certified copy of the order and in case pecuniary benefits were found admissible to the petitioner, to release the same to the petitioner within a further period of three months.

[3] Notice has yet not been issued in the instant case.

[4] Learned DAG, Haryana, has produced copy of order dated 23.06.2022, fixing the pay of the petitioner at par with his junior Maldev Rangi, District Attorney (Retd.) w.e.f. 13.04.2006 in accordance with note 7 below Rule 7(1) of Haryana Civil Service (Revised Pay) Rules, 2008.

The same is taken on record. Copy thereof supplied to learned counsel for the petitioner.

[5] Learned DAG, Haryana, states that arrears in terms of entitlement determined vide order dated 23.06.2022 would be released to the petitioner within four weeks in case the same has not already been released.

[6] In view of the position noted above, learned counsel for the petitioner states that he does not press the instant petition and may be permitted to withdraw the same.

[7] In view of the position noted above, as well as statement of learned counsel for the parties, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971, while directing the respondent to ensure release of financial benefits admissible in terms of order dated 23.06.2022 in case, the same have not already been released, within six weeks from today, failing which the same shall be released along with interest @ 6 % per annum with effect from the date of entitlement till date of payment.

[8] In the eventuality of interest being paid on account of non-release of the benefits admissible within the stipulated period of time, interest liability will be borne by the officer responsible for not releasing the payment in time.

(B.S. Walia)
Judge

05.09.2022

'Rajneesh'

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