

COCP-785-2022

Date of Decision :02.06.2022

Shakuntla

...Petitioner

versus

Jagdish Chander and another

....Respondents

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

Present : Mr. Sandeep Singla, Advocate for the petitioner.

Mr. Sandeep Mann, Addl. AG, Haryana.

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 31.08.2021, in CWP-16759-2021.

2. A perusal of order Annexure P-1 dated 31.08.2021, reveals that CWP-16759-2021, was disposed of by directing respondent No.1 to decide legal notice dated 17.02.2020 issued by the petitioner and take a conscious decision thereon by passing a speaking order within three month from the date of receipt of certified copy of the order and in case the petitioner was found entitled to any pecuniary benefits, to release the same to the petitioner within three months from the date of decision by the authorities.

3. Learned Addl. AG, Haryana, has produced copy of office order No.18 dated 27.05.2022 holding the petitioner entitled to pension and gratuity w.e.f. January 1990 to 30.06.2018. The same is taken on

on perusal thereof, states that in the circumstances, the petitioner does not press the instant petition and may be permitted to withdraw the same but directions be issued to the respondents to ensure release of benefits as per entitlement determined vide order dated 27.05.2022 in a time bound manner.

4. Learned State counsel states that benefits as per entitlement determined vide order dated 27.05.2022 would be released to the petitioner expeditiously and in any case positively within six weeks from today.

5. 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 respondents under the Contempt of Courts Act, 1971, while directing the respondents to ensure release of benefits as per entitlement determined vide order dated 27.05.2022 positively within six weeks from today failing which the same shall be paid alongwith interest @ 7% per annum with effect from the date of entitlement till date of payment with the interest, if payable, to be recovered from the officer responsible for not releasing the benefits within the stipulated period of time.

(B.S. Walia)
Judge

02.06.2022

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