

CHAND KAUR

...Petitioner

versus

AJAY KUMAR BHALLA AND ANOTHER

....Respondents

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

Present : Mr. R.A. Sheoran, Advocate for the petitioner.
Mr. ShivoyDhir, Sr. Panel Counsel for respondent No.1.
Mr. Pawan Kumar Longia, DAG, Haryana for respondent No.2.

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 04.03.2020 in CWP No.1554 of 2018 in case titled as Chand Kaur vs. The Secretary, Ministry of Home Affairs and others.

[2] A perusal of order, Annexure P/1 reveals that CWP No.1554 of 2018 was allowed, impugned order dated 23.12.2017 was set aside and direction issued to respondent No.2 herein to forward the application of the petitioner with its report for grant of pension to the petitioner as a dependent of the deceased Freedom Fighter under the Scheme, to the competent authority within four weeks from the date of receipt of certified copy of the order while the competent authority was directed to consider and decide the application so received within four weeks thereafter and grant the pension, if the petitioner was found eligible and entitled thereto along with arrears and interest @ 9% per annum.

[3] Compliance affidavit dated 14.10.2022 has been filed on

behalf of respondent No.1 mentioning therein that a sum of Rs. 16,51,118/- on account of *Ad hoc* pension along with interest on arrears has been credited to the petitioner's bank account on 02.07.2022, whereas as per compliance report by way of affidavit of Mr. Sanjeev Kaushal, IAS, Chief Secretary to Government of Haryana, Chandigarh (i.e. respondent No.2), vide letter dated 03.12.2021 of the Ministry of Home Affairs, sanction had been conveyed to the grant of dependent family pension to the petitioner w.e.f. 24.05.2013 onwards along with interest @9% per annum under the provision of the Swatantrata Sainani Samman Yojana and in pursuance thereto, intimation had been issued to the Treasurer Charitable Endowments Haryana to release Rs.35,00,94/- in favour of the petitioner on account of arrears w.e.f. the date of submission of the application along with interest @9% per annum.

[4] Compliance affidavit dated 14.10.2022 filed on behalf of respondent No.1 in Court today is taken on record. Copy thereof supplied to learned counsel for the petitioner who in the light of the compliance reports states that he does not press the instant petition but prays for grant of liberty to the petitioner to take out appropriate proceedings in accordance with law to seek payment of interest on the delayed payment upto date of payment of financial benefits . The same is not objected to by learned counsel for the respondents.

[5] Accordingly, 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. All the pending misc. applications also stand disposed of.

[6] Rule discharged.

09.11.2022

'Amit'

(B.S. Walia)

Judge

Whether speaking/ reasoned

:

Yes/No

Whether reportable

:

Yes/No