

COCp-1444-2022

Date of Decision :22.11.2022

HARUN KHAN

...Petitioner

Versus

J GANESAN

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Jamshed Ahmed, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P/1, dated 31.03.2022 in CWP No.6274 of 2022.

[2] A perusal of order, Annexure P/1 reveals that CWP No.6274 of 2022 was disposed of by observing that in case the petitioner filed any representation claiming the benefits, the same be decided within eight weeks from the receipt of the representation by passing appropriate speaking order and whatever was found due to the petitioner as per entitlement, be released to the petitioner within four weeks thereafter.

[3] At the outset, learned DAG has produced copy of order dated 15.11.2022 as per which the amount of contribution towards GPF has been released to the petitioner whereas the claim of the petitioner for gratuity has been accepted and the matter forwarded to the competent authority to release payment in respect thereto to the petitioner. Copy of order dated 15.11.2022 is taken on record and the same supplied to learned counsel for the petitioner who on perusal thereof states that in the circumstances, he does not press

the instant petition but prays for issuance of directions to the respondent to ensure release of gratuity expeditiously, besides, prays for grant of liberty to the petitioner to take out appropriate proceedings in accordance with law to seek interest on the delayed release of payment.

[4] The same is not opposed to by the learned DAG.

[5] Accordingly, in view of the position noted above as well as the statement of learned counsel for the parties, the contempt 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 gratuity amount to the petitioner as per her entitlement as expeditiously as possible while granting liberty to the petitioner to take out appropriate proceedings in accordance with law to seek interest on the delayed release of payment.

[6] Rule discharged.

(B.S. Walia)
Judge

22.11.2022
'Amit'

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