

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

CM-2122-CII-2022 in/and
COCp-2130-2020

Date of Decision : 23.05.2022

Ex. Constable Surender Singh son Shri Jeet Singh ...Petitioner

versus

Shri Ajay Kumar Bhalla, Secretary to Ministry
of Home Affairs, North Block, Government of
India, New Delhi and othersRespondents

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

Present : Mr. Aseem Aggarwal, Advocate
for the applicants-respondents.

Mr. Ramesh Malik, Advocate
for non-applicant / petitioner.

B.S. Walia, J. (Oral)

CM-2122-CII-2022

Learned counsel appearing on behalf of non-applicant /
petitioner states that he has no objection to the prayer for preponement.

Accordingly, in view of the statement of learned counsel for
non-applicant / petitioner, the application is *allowed*. Date of hearing of
the main case is preponed from 26.07.2022 to today and with the consent
of learned counsel for the parties, the main case is taken on board for
decision today itself.

COCp-2130-2020

[1] Prayer in the instant 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.25211 of 2014 in case titled

as '**Surender Singh** versus **Union of India and others**'.

[2] A perusal of order (Annexure P-1), reveals that CWP No.25211 of 2014, was *allowed*, impugned order dated 20.10.2014 was set aside and the petitioner was held entitled for grant of disability pension qua ailment which he suffered from during service, for which he was invalidated out with effect from 29.11.2006 and the respondents were directed to pay disability pension to the petitioner as per entitlement under the Rules by considering the disease, for which the petitioner was invalidated out, as attributable to service, from the date he was discharged along with arrears with the amount as per entitlement to be paid to the petitioner within three months from the receipt of certified copy of the order.

[3] Learned counsel for the petitioner states that pursuant to the issuance of notice to the respondents, the respondents have released the benefits to the petitioner as per entitlement in terms of decision (Annexure P-1) dated 04.03.2020, in CWP No.25211 of 2014, therefore, the petitioner be permitted to withdraw the instant petition.

[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.

[5] *Rule discharged.*

(B.S. Walia)
Judge

23.05.2022
'Rajneesh'