

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

COCN No.2233 of 2022
Date of Decision :22.11.2022

Rakesh Kumar ...Petitioner

versus

Sanjay Joon, Director General, Development
& Panchayats Department, HaryanaRespondent

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

Present : Mr. Gurminder Singh Phull, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition is for initiation of proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 08.04.2022, in CWP No.7417 of 2022 in case titled as '**Rakesh Kumar** versus **State of Haryana and another**'.

[2] A perusal of order (Annexure P-1) reveals that CWP No.7417 of 2022 was disposed of by directing that in case the petitioner tendered an affidavit with the respondents that an amount of Rs.8,69,900/- be retained by the department during the pendency of the FIR subject to its outcome and the rest of the amount of gratuity be released to him, appropriate order be passed by the respondent keeping in view the statement made by learned counsel for the respondents.

[3] Learned DAG, Haryana, has produced status report as per which, the amount of gratuity payable to the petitioner has been worked out as Rs.4,97,894/- as against the claim of the department against the

the amount of the gratuity to the petitioner does not arise, as the amount required for meeting the claim of the department is Rs.8,69,900/- and the amount to be released to the petitioner is not equivalent to the said amount or more than that.

[4] Faced with the aforementioned position, learned counsel for the petitioner states that he does not press the instant petition but prays for grant of liberty to challenge by way of appropriate proceedings in accordance with law, Order Endst. No.3517 dated 27.10.2022 issued by the Block Development and Panchayats Department, Khol, Rewari to the Section Officer, Office of the Executive Engineer, Panchayati Raj, Rewari, verifying the amount of gratuity payable to Shri Rakesh Kumar, Assistant (Retd.) as only Rs.4,97,894/-.

[5] The same is not objected to by the learned DAG, Haryana.

[6] Accordingly, in the light 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 granting liberty to the petitioner as prayed for.

(B.S. Walia)
Judge

22.11.2022

'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>