

**161 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

COCp-2525-2022 (O&M)
Date of decision: 18.11.2022

Kamlesh Ahuja

...Petitioner

Versus

Anshaj Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashwani Talwar, Advocate for the petitioner

Mr.J.S.Pannu, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

Complaining willful violation of the order dated 18.11.2019 passed in CWP-8752-2007, the petitioner has filed the present petition under Section 12 of the Contempt of Courts Act, 1971. The operative part of the order dated 18.11.2019, reads as under:

Keeping in view the facts and circumstances mentioned above, the claim of the petitioner for grant of salary of the post of JBT teacher on the pay scale of Rs.4500-7000/- is allowed. Respondents are directed to release the arrears of the salary to the petitioner. It is made clear that when the pay scale of the post of JBT teacher has been revised subsequently in the year 2006, the benefit of the said revision be also extended to the petitioner alongwith arrears. Further, as act of the respondents in not paying salary to the petitioner for which she was entitled is without any valid justification, the arrears which will be calculated by respondents under this order will also carry interest @ 9% per annum from the date amount became due till the same is released.

Let calculations of the arrears as well as interest as per this order be calculated within a period of two months from the date of receipt of copy of this order and the same be released to the petitioner within a further period of one month.

Learned counsel for the petitioner states that the present writ petition has been filed in the

year 2007 when the petitioner was in service, therefore, claim of the petitioner for grant of pension was not raised, but, now the petitioner has already been superannuated on 31.12.2015, thus, the respondents be also directed to consider the claim of the petitioner for her pensionary benefits as well by treating that the petitioner had worked against a regular sanctioned post of JBT teacher.

Learned counsel for the respondents very fairly states that keeping in view the order passed today, whatever benefits, for which the petitioner is entitled under the rules governing service including the grant of pensionary benefits alongwith arrears will be examined and appropriate orders will be passed in that regard as well and in case, the petitioner will be found entitled, the same will also be released to her within a period of two months from the date of receipt of certified copy of this order.”

Sh.J.S.Pannu, AAG, Haryana, enters appearance for the respondents and on instructions from Dr. Kiran Mayer, Additional Director (Academic) Directorate of Secondary Education, Haryana, submits that the committee under the Chairmanship of the District Education Officer, Gurugram, has already been constituted and necessary steps shall be taken, positively, within a period of three months, from today. He also tenders an apology for the delay.

In view of the aforesaid, no further order is required to be passed.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

18.11.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE