

Ramesh Paul

...Petitioner

versus

Krishan Kumar and others

....Respondents

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

Present : Mr. Dr. Anand Bishnoi, Legal Aid Counsel for the petitioner.
Mr. Ajit Singh Natt, AAG, Punjab.
Mr. H.S. Jugait, Advocate for respondent No.3.

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 17.12.2018, in CWP-19265-2014 and other connected cases.

2. A perusal of order Annexure P/1 reveals that CWP-19265-2014 and other connected cases were allowed and the respondents were directed to allow the petitioner to re-exercise his option in terms of Finance Department Circular dated 24.12.1992, vide which pay scales were revised, within two months from the date of receipt of certified copy of the order and pay of the petitioner was ordered to be fixed notionally w.e.f. 01.01.1986, 01.01.1996 and 01.01.2006, as the case may be while the actual benefit which the petitioner was found entitled to in terms of the judgment was ordered to be given prospectively w.e.f. the date of decision. Learned counsel contends that despite re-exercise of option by the petitioner in terms of decision Annexure P/1, pay fixation and consequential release of arrears was not granted to the petitioner till

12.03.2021. Learned counsel contends that in the circumstances 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 interest on the delayed payment of arrears. The same is not opposed to by the learned AAG, Punjab as well as learned counsel for respondent No.3.

4. In view 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 respondents under the Contempt of Courts Act, 1971, while granting liberty to the petitioner as prayed for.

(B.S. Walia)
Judge

14.11.2022
rajesh

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