

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

1. COCP-1699-2013 (O&M)

Jaswinder Ram and others ...Petitioners

Versus

Gitika Kalah and others ...Respondents

2. COCP-9944-2018 (O&M)

Piara Singh ...Petitioner

Versus

Vikash Partap, IAS and another ...Respondents

3. COCP-9948-2018 (O&M)

Rajinder Singh ...Petitioner

Versus

Vikash Singh, IAS and others ...Respondents

Date of decision: 10.01.2023

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Pawan Kumar, Sr. Advocate with
Mr. Surya Kumar, Advocate and
Ms. Vidushi Kumar, Advocate
for the petitioners in COCP-1699-2013.

Mr. Vivek Aggarwal, Advocate
for the petitioner(s) in COCP-9944 & 9948-2018.

Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Saurabh Garg, Advocate
for the respondents.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above mentioned three
contempt petitions.

The petitioners are alleging the violation of the order dated

05.12.2012 passed in CWP-16244-2009 as well as order dated 29.11.2014 passed in CWP-15126-2010.

This Court, while disposing of CWP-16244-2009, has passed the following order:

“...(4) The Special Leave Petition filed by the respondent Corporation against the judgement of this Court was dismissed as withdrawn. Another fact which is not in dispute is that the petitioners did not give fresh options for voluntary retirement in terms of the changed Scheme. As a result of this, the petitioners will revert back to their status as regular employees of the Corporation who had not sought voluntary retirement.

(5) In view of aforesaid position, the petitioners cannot be denied the benefits which were given by the respondent-Corporation to other employees who had not opted for the voluntary retirement at the time of retrenchment of their services when the Corporation was closed.

(6) Accordingly, it is directed that the petitioners who had sought voluntary retirement and were in fact not relieved immediately after acceptance of their request shall also be entitled to same benefits which were granted to the employees by the respondent Corporation who had not opted for the voluntary retirement at the time of dispensing with their services when the Corporation was closed.”

Reply, on behalf of the respondents, has been filed.

Learned senior counsel for the respondents, on the basis of the reply, submits that all the payments, as given to similarly placed other employees, have already been given to the petitioners herein, however, learned senior counsel for the petitioners submits that there is a deficiency

with regard to the same as the calculations are not correct as the payment was made after a period of six years and the interest on the amount has not been paid.

A perusal of the order dated 05.12.2012 shows that there was no such direction for payment of the interest.

In view of the same, the present petitions are disposed of.

Rule stands discharged.

The petitioners are granted liberty to challenge the order(s) passed by the respondents, if so advised.

Let a photocopy of this order be placed on the file of other connected cases.

10.01.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No