

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

**COCp-1430-2023 (O&M)
Date of decision: 12.05.2023**

Jasbir Singh and others

...Petitioners

Versus

Vivek Partap Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. S. K. Rattan, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners are alleging violation of the order dated 22.07.2022, passed by this Court in CWP-2894-2016, vide which, while disposing of the writ petition, the following order was passed:

“Present petition has been filed under Article 226 of the Constitution, seeking issuance of a writ in the nature of mandamus, directing the respondents for releasing / transferring amount of Contributory Provident Fund for the period w.e.f. 2006 to 2015; grant / release salary for / between the months of February to May, 2015; Dearness Allowance from 01.01.2006; arrears of revised pay scale applicable w.e.f. 01.01.2006 and other allowances to the petitioners, alongwith the interest @ 12% per annum.

At the outset, learned counsel, on instructions from petitioners, submits that substantial prayer is accepted by the respondent(s), however, claim regarding interest is still remaining. Therefore, he does not press the petition at this stage.

Disposed off accordingly.

It is made clear that in case, the grievance still

subsists, the petitioners would be at liberty to raise their plea before the competent authority concerned within four (04) weeks from today, and the same shall be considered in accordance with law within next eight (08) weeks positively.”

A perusal of the aforesaid order shows that learned counsel for the petitioners himself has withdrawn the writ petition after seeking instructions from the petitioners and he did not press the petition regarding claim of interest, if any.

Since no direction was issued by the writ Court regarding payment of interest, mere right given to the petitioners to file representation before the competent authority would not amount to any willful disobedience of the order of this Court.

Accordingly, the present petition is dismissed.

12.05.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No