

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

**COC-1953-2020 (O&M)
Date of decision: 28.02.2023**

Kamlesh Panchal

...Petitioner

Versus

Amit Jha and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. K. D. Sehra, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner is alleging violation of the order dated 17.05.2016, passed by this Court in CWP-16335-2015, vide which, the petitioner, being an Office Bearer of the Haryana State Commission for Women, was restored to his office.

The State of Haryana filed an SLP bearing No. 24471-24472/2016 before the Hon'ble Supreme Court, in which, the prayer for stay was granted on 16.09.2016 and it was directed that the petitioner will join back and receive all salary and perks admissible to him as Chairperson of the said Commission. Thereafter, IA No. 57620/2017 was filed for clarification of the aforesaid order and Hon'ble Supreme Court, while dismissing the same, clarified that the petitioner (State) may recover outstanding loan, if any, from the arrears due and payable to the respondent/petitioner herein.

As per affidavit of the Secretary to Govt. of Haryana-cum-Director General, Women & Child Development, Department, which is on

record, it is stated that the petitioner, along with one Suman Dahiya, has already joined back on 29.09.2016 and with regard to outstanding amount, it is stated that despite repeated reminders regarding furnishing house rent receipts for the period of 05.08.2015 to 28.09.2016, qua which the house rent was to be paid to the petitioner, in view of the objection raised by the audit party, no such receipt regarding payment of house rent has been submitted by the petitioner. It is further stated that in view of the liberty granted by Hon'ble Supreme Court, the house rent for the aforesaid period, on account of non-furnishing of the receipts, amounting to Rs. 10,36,351/-, has been adjusted from the amount payable to the petitioner.

In view of the same, no case of any willful disobedience is made out against the respondents.

Accordingly, the present petition is disposed of.

Rule stands discharged.

The petitioner is granted liberty to avail the alternative remedy, in accordance with law, if so advised.

28.02.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No