

IOIN-COCP-2183-2015

**PREM PAL GUPTA
VS
NIRMALJIT SINGH KALSI**

Present: None for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

Mr. Pankaj Gupta, Sr. Panel Counsel
for Union of India.

Mr. Anupam Singla, Advocate
for Sarv Siksha Abhiyan Authority.

On 23.12.2016, the following order was passed:

“Vide order dated 16.12.2016 passed by this Court noticing the fact that the State had defaulted in payment of retiral dues to the employees, the accounts of the Excise and Taxation Department were attached. Application has been filed for review of the order.

Mr. Ashok Aggarwal, learned Advocate General, Punjab submitted that it may be difficult to pay the entire amount in one go.

Mr. Krishan Kumar, IAS, Secretary Expenditure, Finance Department, Punjab present in person in Court stated that the arrears of the retirals dues of the employees shall be released in the following manner:-

1. ₹ 50 crores shall be released today itself.
2. ₹ 50 crores shall be released on or before 30.12.2016.
3. Another ₹ 100 crores shall be released by 11.1.2017.
4. Upto 31.1.2017, balance amount as stated in the affidavit dated 8.12.2016 and whichever becomes due upto 31.12.2016 on account of retiral dues of the Government employees in all the Departments, shall be cleared.

Statement of Mr. Krishan Kumar, IAS, Secretary Expenditure, Finance Department, Punjab, who is present in person in Court has been recorded separately to that effect. It has been made clear that in case the aforesaid schedule is not adhered to, the officer giving statement shall be held guilty of contempt of this Court and he shall be heard only on quantum of sentence.

This Court is constrained to pass this order seeing the past experience where the State of Punjab had not been able to comply with the directions for payment of various dues to the employees or the others even after filing of contempt petitions or giving undertaking in the contempt petitions.

Adjourned to 13.1.2017.

Subject to compliance of the aforesaid undertaking, the State shall be at liberty to operate the accounts already attached vide order dated 16.12.2016.”

Later on, an additional affidavit of the Secretary Expenditure, Govt. of Punjab, Department of Finance, dated 12.01.2017, was filed giving details clearing the retiral benefits, which reads as under:

“That it is submitted that in pursuance to the order dated 23.12.2016 passed by this Hon'ble Court and the undertaking given by the deponent, the retiral benefits of retirees belonging to all the department of the State of Punjab have been cleared, details of which is as under:-

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|---|--|-----------------------------|
| 1 | Payment made on 23.12.2016 | 50 Crores |
| 2 | Payment made from 24.12.2016 to 30.12.2016 | 78.91 Crores |
| 3 | Payment made from 31.12.2016 to 11.01.2017 | 345.77 Crores |
| 4 | Payment made on dated 12.01.2017 | 1.93 Crores |
| | | Total 476.61 Crores” |

In view of the same, no further action is called for.

Disposed of.

Rule stands discharged.

The accounts of Excise and Taxation Department are released.

13.02.2023

Waseem Ansari

(ARVIND SINGH SANGWAN)

JUDGE