



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCN No. 2631 of 2024 (O&M)
Date of Decision: 23.08.2024

Chanchal Kaur

..... Petitioner

Versus

Harkamal Preet Singh Khakh, Commandant
27th Bn. PAP, Jalandhar Cantt., District Jalandhar
and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikas Singh, Advocate and
Ms. Anamika Sheoran, Advocate
for the petitioner.

Mr. Gunjan Mehta, Additional Advocate General, Punjab
for the respondent(s).

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition, seeks initiation of contempt proceedings against the respondent(s), alleging willful disobedience of the order dated 20.01.2024 (**Annexure P-1**) passed by this Court in CWP No. 6614 of 2021, the relevant / operative para-6 thereof is extracted hereunder:-

“ 6. In the wake of statement of both sides, the petition stands disposed of with a direction to respondent No.3 to supply copy of objections raised by respondent No.4 to the petitioner who would furnish her explanation. The respondent No.4 shall finalize claim of the petitioner within 3 months from the date of explanation furnished by the petitioner. ”

[2] Upon notice, learned counsel for the respondent(s) has filed short reply by way of affidavit dated 23.08.2024 of Sh. Shis Ram Verma – respondent No. 2, which is taken on record. Copy thereof has been supplied to the opposite side.

Registry to tag / paginate the aforesaid affidavit dated 23.08.2024 at appropriate place in the paper-book.

[3] Learned counsel for the petitioner submits that the petitioner happens to be a young lady, who lost her husband at the age of 36 years on 30.04.2019 with no other source of livelihood being totally dependent upon the terminal benefits of her husband-deceased. Learned counsel further submits that initially there was some dispute about the succession of deceased, which was though later resolved; however, the respondents kept on sitting over the discharge of their liability towards the retiral benefits, which compelled her to approach this Court by way of filing writ petition bearing CWP No. 6614 of 2021 and the same was disposed off vide order dated 20.01.2024, directing the respondents to release the same in favour of her.

[4] In response, learned counsel for the respondents submits that the Pension Payment Order has been issued in favour of the petitioner on 19.08.2024 and the monetary benefits shall be released within a period of two weeks from today.

[5] In such circumstances, learned counsel for the petitioner does not press the present petition any further.

[6] **Disposed off as not pressed.**

[7] However, the petitioner would be at liberty to seek revival of the present petition, in case the terminal benefits are not released in her favour within the afore-stated period. It is made clear that in an eventuality, wherein the petitioner is compelled to approach this Court seeking revival of the contempt petition, the respondents shall bear the costs of Rs. 1,00,000/- towards litigation expenses incurred by the petitioner.

[8] Also, the petitioner would be at liberty to raise her claim as regards payment of interest on the delayed release of terminal benefits. In case, any such representation is moved within two weeks from today, the same shall be dealt with, as per law, within a period of four weeks thereafter; speaking order passed thereupon shall be conveyed to the petitioner within a period of two weeks thereafter and in case of any delay on the part of respondents, they shall be liable to pay additional costs of Rs. 1,00,000/- to the petitioner.

August 23, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>