

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-8008-2018

Date of decision: 05.01.2024

NAPINDER SINGH

...PETITIONER

Vs.

STATE OF PUNJAB AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Jai Bhagwan, Advocate
for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. On 15.02.2023, the following order was passed:-

“This Court on 03.03.2020 had directed the respondents to file an affidavit giving all the details along with the dates on which the payments of the arrears were released to the petitioner so that it could be verified whether the petitioner is entitled for interest under the order passed by this Court in COCP-1461-2016 or not. Thereafter, an affidavit has been filed by the Superintendent of Police, Headquarters, Sangrur, wherein a table has been made in Para No.3.

Learned counsel for the petitioner has pointed out that the last column of the table is date of payment and in the last three entries pertaining to Commuted Pension, Difference of DCRG and Payment of interest on GPF, no date has been mentioned, therefore, there is a direct violation of the orders passed by this Court.

Ms. Akshita Chauhan, learned DAG, Punjab has submitted that a short accommodation may be granted to State to clarify this position and to file a fresh affidavit.

The request made by learned State counsel is accepted, subject to the payment of Rs.10,000/- as costs which is to be paid by the respondent/State to the petitioner by way of a demand draft in his name.

Let a fresh affidavit be filed in compliance of the order passed by this Court on 03.03.2020 within a period of three weeks from today.

Adjourned to 21.03.2023.”

2. On 21.03.2023, the following order was passed:-

“Affidavit of Superintendent of Police, Headquarters, Sangrur, Punjab has been filed on behalf of respondent Nos.1 to 3 in compliance of the order dated 15.02.2023 and the same is already taken on record.

Learned State counsel has stated that in the reply there is one inadvertent mistake in Para No.5 where the dates of payment have been mentioned in tabulated form and against the payment of monthly pension, the date which is to be mentioned as 31.01.2017 but the same has been left blank inadvertently and therefore, it may be read as 31.01.2017, which is the actual date of payment.

Learned counsel for the petitioner has submitted that he has not received the copy of the aforesaid affidavit.

However, the same has been supplied to the learned counsel for the petitioner during the course of proceedings.

Learned counsel for the petitioner prays for some time to peruse the same.

On his request, adjourned to 20.07.2023.”

3. The respondent has filed affidavit dated 06.03.2023 wherein it has been categorically pointed out that a sum of Rs. 64,394/- towards interest on delayed payment of GPF has been paid to the petitioner. The petitioner has

already been paid entire due amount of principal as well as interest, thus, petition has rendered infructuous.

4. Dismissed as having been rendered infructuous.

05.01.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No