



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCN No. 2854 of 2024 (O&M)
Date of Decision: 30.08.2024

Som Nath Manocha

..... Petitioner

Versus

Rajiv Rattan, IAS, Director-General,
Deptt. of Technical Education, Govt. of Haryana, Panchkula

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Animesh Sharma, Advocate, for the petitioner.

Mr. Pawan Kumar Longia, DAG, Haryana
for the respondent.

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 25.05.2023 (**Annexure P-1**) passed by this Court in CWP No. 16011 of 2021, the operative para-4 thereof reads as under:-

“[4]. In view of decision rendered in K.L. Vasudeva and others (supra), the pension is rightly modified in the corresponding pay scale of Rs.37400-67000/-+Rs.8700/- GP w.e.f. 18.10.2011 and order of withdrawal of such benefit is held to be illegal. This writ petition is accordingly allowed. The impugned action is hereby quashed and the fixation of modified/revised pension of the petitioner in the corresponding pay scale of Rs.37400-67000/-+Rs.8700/- GP w.e.f. 18.10.2011 is hereby restored with all consequential benefits including arrears of shortfall in the pension, which would be released in favour of the petitioner within a period of two months along with interest @ 6% per annum from the date of reduction till actual realisation of the amount from the date of receipt of certified copy of this order.”

[2] In response, learned counsel for the respondent, on instructions, submits that in terms of revised pension in favour of the petitioner, PPO has been issued and the payment shall be released within a period of one week from today.

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

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

[5] However, in case the needful is not done, the petitioner would be at liberty to raise his claim by filing representation before the quarter concerned within a period of two weeks from today, which shall be dealt with, as per law, within a period of four weeks thereafter from the date of its receipt by passing a speaking order thereupon, and the same shall be conveyed to the petitioner within a period of two weeks thereafter and in case of any delay on the part of respondent, the officer concerned would be liable to pay costs of Rs. 50,000/- to the petitioner.

[6] Also, it is made clear that in an eventuality, wherein the petitioner is compelled to approach this Court seeking revival of the contempt petition, the respondent(s) shall bear the additional costs of Rs.1,00,000/- towards litigation expenses incurred by the petitioner.

[7] Rule stands discharged.

[8] Pending miscellaneous application(s), if any, shall also stand disposed off.

August 30, 2024

'dk kamra'

(HARKESH MANUJA)

JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No