

2024:PHHC:131506



165 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

COCP-3233-2024 (O&M)
Decided on:-03.10.2024

Kashmir Kaur

....Petitioner..

VS.

Harish Dayama, IPS, SSP, Gurdaspur

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manpreet Singh Dua, Advocate,
 for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

Mr. H.S. Jugait, Advocate,
for the Accountant General, Punjab

HARKESH MANUJA J. (Oral)

1. By way of present petition, prayer has been made for initiation of contempt proceedings against the respondent on account of alleged willful non-compliance of order dated 11.09.2023 passed by this Court in CWP-19395-2023.

2. Learned counsel for the respondent, on instructions, informs that the necessary orders regarding release of family pension alongwith arrears in favour of the petitioner shall be done/passed within a period of three weeks from today.

3. Considering the fact that there is an inordinate and unexplained delay in making the payment, the respondent is liable to pay interest @ 6% per annum to the petitioner on the delayed payment from the date it became payable

till the date of actual payment, in terms of law laid down by the Hon’ble Apex Court in case of “*Bal Kishore Mody Vs. Arun Kumar Singh*” reported as, (2001) 10 SCC 174.

4. In view of the above, no further orders are required to be passed in the present petition, as such, the same is disposed of. Rule stands discharged.

5. However, in case the needful is not done within the aforementioned period, the petitioner would be at liberty to seek revival of contempt petition and in that eventuality, the erring/concerned officer would be liable to pay a sum of Rs.50,000/- as costs from his/her own pocket in favour of the petitioners towards litigation expenses, immediately, i.e. on the first date of listing of revival application.

03.10.2024
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(HARKESH MANUJA)
JUDGE

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