



**IN THE HIGH COURT OF PUNJAB
AND HARYANA**

AT CHANDIGARH

102

COCP-2049-2025

Decided on: 11.07.2025

Dr. Ghanshyam Dass Sharma

. . . Petitioner

Versus

Pawan Kumar

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Manu Bhandari, Advocate (Through VC)
for the petitioner.

Mr. Shreenath A. Khemka, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

CM-12663-CII-2025

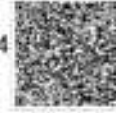
This is an application under Section 151 CPC for restoration of the main petition to its original number which was disposed of vide order dated 26.05.2025.

For the reasons stated in the application and in view of the liberty granted to the applicant-petitioner to revive the contempt petition in case the respondent does not comply with the statement made before this Court, present application is allowed. The order dated 26.05.2025 is hereby recalled and the main case is restored to its original number and is taken up on Board today itself.

Main Case

1. On 26.05.2025, this Court has been pleased to pass the following order:-

"1. On 30.04.2025, this Court was pleased to pass the following order:-



*“Present: Mr. Manu K. Bhandari, Advocate and
Mr. Arjun Sawhni, Advocate
for the petitioner.*

*Mr. Shreenath A. Khemka, Advocate
for the respondent.*

Learned counsel for the petitioner has submitted that the learned Single Judge, while allowing the writ petition on 02.07.2024, had passed the following order:-

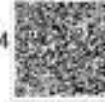
12. For the reasons recorded above, both the petitions are allowed, and the impugned orders; (i) dated 29.10.2019 and 21.09.2002 in CWP No.36064 of 2019, and (ii) dated 04.12.2019 and 05.08.2004 in CWP No.36545 of 2019, are hereby set aside. The respondents are directed to revise the petitioners' pension from the date of superannuation by extending the benefit of addition to qualifying service of four years and twenty two days in the first petition and five years in the second petition. However, they shall be entitled to arrears of revised pension from thirty-eight months prior to filing of the respective petitions with interest at the rate of six per cent per annum from the due date till actual payment. The directions are to be carried out by the respondents within four weeks of receiving a certified copy of this judgment. There shall be no order as to costs.

13. Pending miscellaneous application(s), if any, stand disposed of as having been rendered infructuous.

14. A photocopy of this order be placed on the connected file.”

It is submitted that against the said order, the LPA filed by the respondent has been dismissed and even in the SLP, there is no stay operating in favour of the respondent. It is further submitted that in spite of the same, no amount has been released to the petitioner in compliance to the order dated 02.07.2024.

Notice of motion for 26.05.2025.



Mr. Shreenath A. Khemka, Advocate, appears on behalf of respondent No.1 and prays for an adjournment to submit the compliance report on or before the next date of hearing with respect to the order dated 02.07.2024.

To be taken up in the urgent list.

30.04.2025”

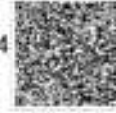
2. *Learned counsel for the respondent has submitted that an order dated 22.05.2025 has been passed and a copy of the same has been handed over to this Court, which is taken on record as “Mark A” and a copy of the same has been given to the learned counsel for the petitioner, as per which the pension in respect of the petitioner has been refixed (notionally) after granting five years weightage in qualifying service for pension purpose under Clause 3.2 of the HAU Pension Statutes. It is submitted that as far as the actual amount to be released to the petitioner is concerned, the petitioner can submit his calculation within a period of one week from today and within a further period of two weeks, the amount so calculated and submitted by him would be released and in case any amount mentioned in the calculation submitted by him, as per the stand of the respondent University is not to be released, then, a speaking order regarding the same would be passed.*

3. *Learned counsel for the petitioner has submitted that the petitioner would submit the calculation within a period of one week and the respondent be bound by the statement made before this Court. It is submitted that liberty be granted to the petitioner to revive the present contempt petition in case the respondent does not comply with the statement made before this Court.*

4. *Keeping in view the above said facts and circumstances and the stand taken on behalf of the respondent, the present petition is disposed of at this stage. The petitioner would submit the calculation within a period of one week from today and the respondent would be bound by the statement made before this Court.*

5. *It would be open to the petitioner to revive the present contempt petition in case the respondent does not comply with the statement made before this Court.*

May 26,2025”



2. Learned counsel for the petitioner has submitted that till date, no amount has been released by the respondent.
3. Learned counsel appearing for the respondent has submitted that the entire process has been completed and the petitioner is found entitled to an amount of Rs.16,11,357/- and vide letter dated 09.07.2025 written by the Comptroller to the Chief Manager, State Bank of India, HAU Branch, Hisar, it has been specifically mentioned that in case, the petitioner submits the Indemnity Bond alongwith the necessary undertakings, then the said amount would be released.
4. Learned counsel for the petitioner has submitted that they had submitted the indemnity bond alongwith the necessary undertaking as required on 10.07.2025.
5. Learned counsel for the respondent has submitted that in the said circumstance, within one day of the receipt of the physical copy of the indemnity bond, the above said payment would be released to the petitioner
6. Learned counsel for the petitioner has submitted that the said statement satisfies the petitioner, at this stage and the present contempt petition be disposed of, at this stage, with liberty to the petitioner to revive the same, in case the said statement is not complied with by the respondent.

11.07.2025*Mehak**Whether reasoned/speaking?
Whether reportable?***(VIKAS BAHL)
JUDGE***Yes/No
Yes/No*