

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

**C.O.C.P. No.1850 of 2016
Date of Decision: 22.02.2017**

Inderjit

..... Petitioner

Versus

Mr. G. Vargalimgan, IAS, Secretary,
Education Department, Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vivek Aggarwal, Advocate for the petitioner.

Mr. Anant Kataria, Deputy Advocate General, Punjab
for the respondents/contemners.

JASWANT SINGH, J. (Oral)

The petitioner had filed CWP No.6456 of 2013 for quashing the order dated 31.10.2012 passed by the District Education Officer (S.E.), Jalandhar, withholding the Death-cum-Retirement Gratuity (DCRG) due to registration of an FIR No.223 dated 31.08.2012, under Sections 323, 324, 326, 148 and 152 of the Indian Penal Code. He was also seeking directions to release the pensionary benefits to him, who has been retired on 31.10.2012 as Junior Assistant. The said petition was allowed vide order dated 29.03.2016 (**Annexure P-1**) and the impugned order dated 31.10.2012 was set aside. A mandamus was issued to the respondents to pay the withheld amount of gratuity and other retiral benefits, if any remaining unpaid, within two months from the date of receipt of certified copy of this order. It was also directed that the amount of gratuity having been wrongly withheld on an incorrect premise would also earn interest at the rates fixed on fixed deposits receipts by nationalized banks. The same was directed to be calculated and paid in addition to the principal DCRG but the element of interest will be calculated from the expiration of a period of three months from the date of retirement till

realization to make sufficient elbow room for office procedure to have been followed had there been no criminal case pending. Since the needful was not done, hence the present contempt petition.

Upon notice, reply has been filed, wherein it is submitted that the due amounts have since been paid to the petitioner.

In response, learned Counsel for the petitioner submits that the present petition has become infructuous as the directions passed by this Court have since been complied with.

In view of above, no further action is warranted.

Accordingly, the present contempt petition stands dismissed as infructuous.

February 22, 2017

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**(JASWANT SINGH)
JUDGE**

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