

“that the Petitioner Was Drawing Vs. Yog Raj, Executive Engineer

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Court : Punjab and Haryana

Decided On : Feb-01-2013

Appellant : “that the Petitioner Was Drawing

Respondent : Yog Raj, Executive Engineer

Judgement :

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH COCP No.3444 of 2012 (O&M) Date of decision:01.02.2013 Baldev SinghPetitioner Versus Yog Raj, Executive EngineerRespondent CORAM : HON'BLE Mr.JUSTICE RAKESH KUMAR GARG Present: Mr.V.B.Aggarwal, Advocate, for the petitioner.

Mr.Dinesh Arora, Advocate for Mr.P.S.Punia, Advocate for the respondent.

*** RAKESH KUMAR GARG, J (ORAL) not compliance of the order dated 4.11.2011 passed in CWP No.4608 of 1994 has been alleged in this petition.

By way of short affidavit, reply has been filed in the Court, is taken on record.

Para Nos.4 and 5 of the aforesaid reply reads thus:- That the petitioner was drawing Rs.434/- per month since 10.02.1993 till date.

However, after deducting the said amount as per DC rate applicable year-wise, an amount of Rs.5,06,078/- was calculated to be paid to him and as such the said amount has been paid to the petitioner vide cheque No.677742 dated 25.1.2013.

That the deponent submits that the delay occurred in releasing this amount to the petitioner was due to bonafide reasons and official compulsions i.e.necessary calculations after collecting record of the petitioner since 1993 and bonafide reason i.e.necessary approval to issue COCP No.3444 of 2012 (O&M) -2- the cheque.

No willful intention was involved in disobeying or non-compliance of the order passed by this Hon'ble Court.

The deponent respectfully submits that not the amount has been paid to petitioner vide cheque dated 25.1.2013.

A photocopy of the calculations and the cheque draft paid to the petitioner alongwith the receipt has also been produced on record.

Keeping in view the reply filed and the photocopy of the receipt given by the petitioner, this Court does not incline to proceed further with this petition as the grievance of the petitioner has been redressed.

Ordered accordingly.

In case, there is mis-calculation, the petitioner is at liberty to approach the respondents for recalculation thereof.

February 01, 2013 (RAKESH KUMAR GARG) savita JUDGE

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