

ITEM NO.32

COURT NO.3

SECTION IV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CONMT.PET.(C) No. 694-695/2021 in C.A. No. 1298/2018

DARSHAN SINGH & ORS.

Petitioner(s)

VERSUS

VINI MAHAJAN & ANR.

Respondent(s)

(IA No. 147053/2021 - EXEMPTION FROM FILING O.T. AND IA No. 112800/2021 - INTERVENTION APPLICATION)

Date : 27-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mr. P.s. Patwalia, Sr. Adv.
Ms. Natasha Dalmia, AOR
Ms. Anisha Jain, Adv.
Mr. Sarthak Dora, Adv.

For Respondent(s)

Mr. Vivek Jain, D.A.G.
Mr. Karan Sharma, AOR
Mr. Rajat Jain, Adv.
Mr. Rishabh Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The petitioner have approached this Court contending that the respondents are willful and deliberate violation of the order passed by this Court dated 22nd January, 2021 in M.A. No. 2673 of 2019 in Civil Appeal No. 1298 of 2018 and order dated 30th January, 2018 passed by this Court in C.A. No. 1298 of 2018.

2. Vide order dated 30th January, 2018, the Court had directed the respondents to pay the appellants and others in accordance with the relevant pension schemes with effect from 1st January, 2018. However, the arrears before 1st January, 2018 was denied to the petitioners.

3. This Court passed an order on 09th May, 2023 as under:-

"1. Learned counsel appearing for the State submits that the case of the petitioners as well as the similarly circumstanced persons is under active consideration of the State Government and in all probabilities the orders will be passed within a period of four weeks from today.

2. Post the matter for further orders on 10.07.2023.

3. We make it clear that if the State Government does not make the benefit available to the petitioners and the similarly circumstanced persons by the said date, we will be compelled to take a serious view of the matter, including summoning the Chief Secretary of the State before this Court."

4. Shri P.S. Patwalia, learned senior counsel appearing on behalf of the petitioners submits that the two persons, namely, Mr. Sampuran Kaur, W/o Parkash Singh (Gurdaspur) and Mr. Har Bans Kaur, W/o Kashmira Singh have not been paid any arrears. In so far as other persons are concerned, though the arrears have been paid to them but the payment is made without taking into consideration the recommendations of the 5th and 6th Pay Commission.

5. We direct the respondent-State Government to make the payment to the aforesaid two persons forthwith. In so far as the calculation with regard to the actual arrears to be paid

to all the eligible persons, the same shall be completed within a period two weeks from today and the actual payment as per the calculation done, be made within further period of two weeks therefrom.

6. If this exercise is not completed within a period of four weeks from today, the Chief Secretary of the State of Punjab shall personally remain present in this Court and show cause as to why an action for committing the contempt of this Court be not initiated against him.

7. List these matters after four weeks to report compliance.

(DEEPAK SINGH)
COURT MASTER

(ANJU KAPOOR)
COURT MASTER (NSH)