
(2010) 10 SHI CK 0096
In the High Court Of Himachal Pradesh
Case No : C.O.P.C. (T) No. 91 of 2008

Amin Chand

APPELLANT

Vs

Narender Chauhan and Another

RESPONDENT

Date of Decision : 04-10-2010

Acts Referred:

Citation : (2010) 10 SHI CK 0096

Hon'ble Judges : Kurian Joseph, C.J;Kuldip Singh, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The complaint is regarding non-implementation of order passed by the erstwhile Tribunal on 17.7.2006. In the reply at paragraph 2, it is stated as follows:

2. That in reply to the contents of this para of the application, it is submitted that this Hon"ble Tribunal vide order dt. 17.7.2006 was pleased to direct the respondents to pay DCRG as per Rule 68(1) and decision No. 2 thereunder release the GIS and the arrears of the retrial benefits due to increased basic pay within two months. In this behalf it is submitted that after the receipt of the orders of this Hon"ble Tribunal, the matter was examined in the office of the replying respondent and it was decided to release the outstanding retrial benefits to the applicant due to increased basic pay except the interest on DCRG as delay was on the part of applicant/retiree. It is further submitted that the matter of retrial benefits due to increased basic pay is still pending as the service book of the applicant had been sent to the Block Development Officer Nahan which has now been received back and the revised pension case has been sent to the Accountant General H.P. for sanction (copy of letter is annexed herewith as Annexure R-I). The delay caused is neither intentional nor willful but has been caused due to the non-completion of formalities. As soon as the case is received back from the office of Accountant General, the retrial benefits to the Applicant shall be released.

2. From the reply, it is seen that there was no willful or deliberate dis-obedience

on the part of the respondents in non-implementing the orders. Therefore, this COPC is dismissed without prejudice to liberty of the petitioner to pursue his grievance, if any, in appropriate proceedings.