

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL  
AT DEHRADUN**

Present: Hon'ble Mr. Justice U.C.Dhyani  
----- Chairman

Hon'ble Mr. D.K.Kotia  
-----Vice Chairman (A)

**CONTEMPT PETITION NO. C-08/DB/2018**

Arun Kumar Jaiswal s/o Late Murari Lal Jaiswal aged about 65 years r/o Raj  
Vihar, Chakrata Road, Dehradun.  
.....Petitioner.

**vs.**

Sri Anand Bardhan, Additional Chief Secretary/ Commissioner, Food & Civil  
Supplies, Civil Secretariat, Dehradun..  
.....Respondent.

Present: Sri Anurag Nautiyal & Ms. Mohini Bajaj, Advocates  
In brief of Sri Shashank Pandey, Counsel for the petitioner.  
Sarvsri U.C.Dhaundiyal & V.P.Devrani, A.P.Os.,  
for respondents.

**JUDGMENT**

**DATED: OCTOBER 29, 2018**

**Justice U.C.Dhyani (Oral)**

Present contempt petition has been filed by the petitioner, feeling  
aggrieved against non compliance of order dated 24.04.2018.

2. The order sought to be executed is being reproduced herein below  
for convenience:

“That being so, it was incumbent upon the respondent  
department to have released the pension in favour of the  
petitioner as per Rules. Since, the same has not been done,  
therefore, we are inclined to pass an order in favour of the  
petitioner, directing Respondent No.2 to release the  
pension as well as gratuity in favour of the petitioner, within  
90 days of the production of the certified copy of this order.  
If, Respondent No.2 fails to pay pension and gratuity to the  
petitioner, within 90 days of the production of the certified

copy of this order, the petitioner shall also be entitled to receive interest thereon, at the rate, payable on the General Provident Fund, from time to time, till the date of actual payment. Order accordingly.”

3. Sri Anurag Nautiyal & Ms. Mohini Bajaj, Advocates, who are present in brief of Ld. Counsel for the petitioner, submitted that despite service of order dated 24.04.2018, upon the respondent on 18.05.2018, no action has been taken by the respondent so far.
4. It is the submission of Ld. Brief Holders, appearing on behalf of the petitioner that casual approach on the part of respondent should not be tolerated and strict action should be initiated against the alleged contemnor.
5. One of the objectives of contempt jurisdiction is the enforcement and compliance of the order of the Court.
6. This Tribunal, therefore, instead of issuing notice to the respondent, reiterates the order dated 24.04.2018, passed by this Tribunal, and directs the authority concerned to comply with the same within four weeks (from today), failing which, the contemnor may be liable to face appropriate action under the Contempt of Courts Act.
7. Petitioner is directed to place a copy of this order, as also the order dated 24.04.2018 before the authority concerned by 02.11.2018, to remind that a duty is cast upon said authority to do something, which has not been done.
8. The contempt petition is, accordingly, disposed of.
9. Let a copy of this order be supplied to the learned counsel for the petitioner, as per rules, within 24 hours

**(D.K.KOTIA)**  
VICE CHAIRMAN (A)

**(JUSTICE U.C.DHYANI)**  
CHAIRMAN

*DATE: OCTOBER 29, 2018*  
*DEHRADUN*

VM