

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

COCP No.2938 of 2012 (O&M)

Date of Decision : 4.2.2016

Satwinder Pal Singh

....Petitioner

Versus

D.S.Bains and another

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr. Manu K.Bhandari, Advocate
for the petitioner.

Mr. M.C.Berry, Addl.AG, Punjab
for the respondents.

MAHESH GROVER.J.

The petitioner is aggrieved of non-compliance of the order of the writ court dated 4.3.2010 passed in CWP No.566 of 2010 in terms of which his writ petition bearing no.10554 of 2010 was disposed of on 28.5.2010. He states that his grievance was to be considered by the Committee constituted under the orders of this Court whose recommendations were ordinarily to be accepted by the Director General of Police unless there were strong and cogent reasons recorded in writing to disagree with the findings of the Committee. The petitioner refers to the material on record to contend that his claim was that the Committee's report was accepted by the Director General of Police but after a lapse of four years and during the pendency of

this petition the orders have been passed disagreeing with the report of the Committee. He thus contends that the respondents are in contempt.

On due consideration, I am of the considered view that the writ court gave sufficient flexibility to the acceptance of the report of the Committee to the respondents. There was liberty granted to them to disagree with the report of the Committee by recording reasons. If the same has been done, it would not strictly come within the ambit of Contempt of Courts Act as the petitioner would indeed have a remedy to test the reasons before the court in appropriate proceedings. Consequently, the petition is disposed of with liberty to the petitioner to avail himself of remedies in law. In case the same is done, the question of delay may be considered sympathetically noticing the fact that since 2012 the petitioner is agitating his claim.

4.2.2016
dss

(MAHESH GROVER)
JUDGE