

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.1158 OF 2015(O&M)

Date of decision: 18.10.2016

Anil Kumar Goswami and anr.

.. Appellants

vs.

Sinder Kaur

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal
 Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Karminder Singh, Advocate
 for the appellants.

Mr. Rajeev Anand, Advocate
for the respondent.

Rajesh Bindal, J.

Challenge in the present intra-court appeal is to the order dated 20.01.2014 passed by learned Single Judge in contempt petition whereby disposing of the same as the order had been complied with, costs of ₹50,000/- was imposed, seeing the conduct of the appellants.

It is a case in which late husband of the respondent approached this Court seeks quashing of an order rejecting his claim for grant of Swatrantrata Sainik Samman Pension under the Central Scheme. He claimed that he remained in jail from 20.10.1942 to 19.10.1943. His claim was accepted vide judgment dated 07.12.2011. The respondents therein were directed to pay pension to the late husband of the respondent within a period of six weeks from the date of receipt of copy of the order.

The aforesaid order having been not complied with within the time granted, the late husband of the respondent filed contempt petition at that time. Notice was issued to the respondents therein. On 28.05.2012, following order was passed:-

“Despite sufficient opportunities already granted, the respondents have not complied with the orders.

While granting one more but last opportunity, it is directed that if the needful is not done before the adjourned date, respondent No.2 shall remain present in Court to show as to why exemplary costs be not imposed upon him.

List on 23.08.2012.

Let a copy of this order be given dasti to Ms. Anita Garg, learned standing counsel for the respondents, for information and necessary compliance.”

Even thereafter the order was not complied with. As reported by learned counsel for the respondent that amount was partially paid in January, 2013 and partially in February, 2013. The contempt petition was finally disposed of on 20.01.2014. On account of inordinate time taken by the respondents to comply with the order passed by this Court and considering the order passed on 28.05.2012, costs of ₹50,000/- was imposed.

There is no error in the order passed. Seeing the conduct of the appellants, costs were required to be imposed as the order was not complied with within the time period granted by the Court in the writ petition and despite giving opportunity in the contempt petition.

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The appeal is accordingly dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

18.10.2016
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Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No