

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

**COCP No.2663 of 2015
Date of decision: 23.01.2017**

Ved Parkash Bajaj

..Petitioner

Versus

Sh. Nitin Kumar Yadav

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. J.S. Dahiya, Advocate for the petitioner.

Mr. S.K. Mahajan, Advocate for the respondent.

Daya Chaudhary, J. (Oral)

As per order passed by this Court on 07.10.2014 in CWP No.20805 of 2014, the respondent was directed to look into the matter and consider the grievance of the petitioner raised in legal notice dated 21.07.2014 and decide the same, at an early date by passing a speaking order in accordance with law within a period of three months from the date of receipt of certified copy of the order. The decision on legal notice was not taken within a period of three months as directed on 07.10.2014.

The petitioner filed the present contempt petition wherein notice of motion was issued on 15.01.2016. Thereafter also, after having two dates, nothing was done. The case came up for hearing on 07.11.2016 and a direction was issued to the respondent to release the amount due to the petitioner within a period of four weeks from the date of passing of order.

Learned counsel for the respondent submits that the payment has been released to the petitioner and the same has been received.

Mr. Dharam Suhag, Executive Engineer, Sub-Urban Division, UHBVN, Panipat is also present in the Court and submits that the delay has

occurred due to long official process but payment has been released to the petitioner.

Undisputedly, the delay has occurred in not obeying the order passed by this Court on 07.10.2014 as direction was issued to decide the legal notice within a period of three months from the date of receipt of certified copy whereas the payment has been released only after issuing direction in the present contempt petition.

A speaking order has been passed on 26.02.2016, which is annexed as Annexure R-1 with the reply.

It is the argument of learned counsel for the petitioner that certain claims have wrongly been declined and even the pay of the petitioner has been reduced whereas order dated 26.02.2016 is contrary to the facts and claim of the petitioner.

The petitioner is at liberty to make representation as to which claim has not been released/granted to the petitioner. In case, any such representation is made within a period of two weeks from today, the respondent is directed to consider the same and pass necessary order after giving proper opportunity to the petitioner. In case, the petitioner is found to be entitled, the same be released to him within a period of one week thereafter.

Disposed of accordingly.

23.01.2017
neetu

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

√
Yes/No

Whether Reportable

√
Yes/No