

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

COCP No. 3243 of 2017

Date of decision : 07.11.2017

Sanjay

...Petitioner

V/s

Dayanand Laura

...Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ajay Chaudhary, Advocate for the petitioner.

RAJAN GUPTA J.

Notice of motion.

On the asking of court, Mr. Rohit Arya, Asst. A.G. Haryana, who is present in court, accepts notice on behalf of the respondent.

Petitioner alleges violation of order dated 16.03.2017 passed by writ court, operative part thereof reads as under:-

“For the foregoing reasons, I find sufficient merit in the contention of the learned counsel for the petitioner(s) and lack of it in the defence of State and feel persuaded enough to allow these writ petitions. As a result, the impugned award(s) are modified and the petitioner(s) are held entitled to full back wages. The amount be determined and paid to the workers within a period of three months from the date of receipt of certified copy of this order, either from the Court or from the petitioner, whichever is earlier. The petitioner(s) is/are held entitled to interest @ 6% per annum on the arrears, which amount will be included at the time payment of back wages. An affidavit of compliance of this order and proof of payment of sums determined be furnished to this court in the disposed of matter within six months for the perusal of the Court.”

At the outset learned State counsel submits that in case appeal has not been filed against the order passed by writ court, it shall be ensured that same be complied with at the earliest, in any case not later than three months.

In view of statement made by learned State counsel, no further direction is necessary. Disposed of. It is however, clarified that in the eventuality a fresh cause of action accrues to the petitioner to invoke the contempt jurisdiction of this court, apart from initiating proceedings under the Act, it shall also impose exemplary costs which shall be deducted from the salary of the official(s) responsible for delay/non-compliance.

November 07, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No