

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCp-659-2017 (O & M)
Date of decision: 22.05.2017

Bharpur Singh

.... Petitioner

V/s

Shivdular Singh and anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.K. Mattoo, Advocate, for the petitioner.

Mr. V. Ramswaroop, Addl.A.G., Punjab.

Rajan Gupta, J. (Oral)

It appears that the writ court disposed of the petition on the basis of an undertaking given by the State counsel that the case of the petitioner would be considered by the competent authority and the order shall be passed within 04 months.

Admittedly, thereafter, no order was passed by the competent authority. Petitioner was forced to invoke the contempt jurisdiction of this court. During the pendency of this petition, a speaking order dated 10th April, 2017, has been passed

This court gets an impression that the authority never intended to abide by the undertaking given before the writ court. Only when this court took cognizance by way of instant petition, it complied with the order. Under the circumstances, punitive costs needs to be imposed on the authority. It shall be liable to pay Rs.20,000/- as costs, out of which, Rs.10,000/- shall be remitted to the petitioner and the remaining amount

In view of the speaking order passed by the concerned authority,
no cause of action survives in this petition. Disposed of.

Petitioner would be at liberty to impugn the speaking order by
way of alternative remedy.

May 22, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No