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

COCF No.1433 of 2016 (O&M)

Date of Decision: 28.02.2018

BISHAN DASS

..... Petitioner

Versus

**SHRI G. MOHAN KUMAR, SECRETARY TO GOVERNMENT OF
INDIA, MINISTRY OF DEFENCE, NEW DELHI**

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sushant Kareer, Advocate for
Mr. Harparteek S. Sandhu, Advocate
for the petitioner.

Mr. Vivek Singla, Advocate
for the respondent.

JASWANT SINGH, J. (ORAL)

Petitioner-Bishan Dass, claims he was recruited as an Agent by Research & Analysis Wing (R&AW) for spying activities in Pakistan, where he was apprehended and languished in jail for ten years before his release on 20.03.1988. He filed CWP No.19790 of 2013, claiming compensation and this Court vide order dated 09.09.2013 (**Annexure P-1**), directed the Secretary, Ministry of Defence to look into the grievance of the petitioner and pass a speaking order within a period of three months from the date of receipt of the certified copy of the order.

Since the needful was not done within the prescribed time, hence

the present contempt petition.

Upon notice, a reply by way of affidavit dated 20.01.2017 of the Defence Secretary, has been filed alongwith an order/memo dated 28.11.2016 **(Annexure R-1)** indicating the reasons for rejecting the claim of the petitioner. The explanation for delay furnished is that the case of the petitioner in the light of the claimed relief had to be addressed by the Cabinet Secretariat and not by the Ministry of Defence, as erroneously directed.

In view of the above, no further proceedings are warranted in the present contempt petition.

Dismissed.

Rule is discharged.

February 28, 2018

'rajneesh'

**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>