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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CMs-10300 &10302-CII-2019 in/and
COCP-1377-2017
Date of decision: 01.10.2019

LEELA DEVI

.. PETITIONER

VERSUS

SANJAY MITRA AND ANR.

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rajeev Anand, Advocate
for the petitioner.

Mr. Satyapal Jain, Addl. Solicitor General of India with
Mr. Shivoy Dhir, Senior Panel Counsel
for the respondents-UOI.

AVNEESH JHINGAN, J. (Oral)

CM-10300-CII-2019

This is an application for exemption from filing true copy of
Annexures R-1 and R-2.

Allowed as prayed for.

CM-10302-CII-2019

This is an application for placing on record reply to
CM-14186-CII-2017 by way of affidavit.

Allowed as prayed for.

Reply is taken on record.

COCP-1377-2017

The writ petition filed by the petitioner was decided on 24.04.2009 wherein the petitioner was held entitled to an ex-gratia lump sum compensation. Further direction was given to the respondent to treat the copy of the writ petition as a representation on behalf of the petitioner and take a decision thereon in the light of observations made in the judgment. The LPA filed by respondents was dismissed. Thereafter, a contempt petition was filed alleging wilful disobedience of order dated 24.04.2009. The said contempt petition was disposed of on 12.03.2015, on the basis of the statement made by the learned counsel for the respondent that the cheque for ex-gratia amount has been dispatched to the petitioner and would be delivered within one week.

The only dispute surviving now is that no decision has been taken on the representation of the petitioner.

Learned counsel for the respondents submits that there was communication gap, hence, the needful was not done. He states on instructions from Mr. Pushpinder Kumar, LDC, office of Director General Border Roads, that a decision on the representation would be taken within six weeks from today after affording opportunity of hearing to the petitioner.

In view of the above, the contempt petition is disposed of. The petitioner would be at liberty to revive the contempt petition, in case, the statement made by learned counsel for the respondents today in Court is not adhered to.

It is further clarified that in case, the petitioner is forced to revive the contempt petition, exemplary costs may be imposed which shall

be recovered personally from the defaulting official.

Further if the petitioner is aggrieved of the order passed by the respondent, she would be at liberty is to avail remedies in accordance with law.

Rule issued against the respondents is discharged.

1st October, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*