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

**CM No.11566-CII of 2019 in/and
COCP No.1744 of 2011 (O&M)
Date of Decision: 02.07.2019**

Dayal Singh

Petitioner

Versus

S.C. Aggarwal, Chief Secretary to Govt. of Punjab, Chandigarh

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. H.C. Arora, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, Asst. A.G., Punjab.

AVNEESH JHINGAN, J (Oral):

CM No.11566-CII of 2019:

This is an application for revival of contempt petition No.1744 of 2011 in CWP No.5340 of 2010 which was disposed of on 28.05.2012.

Notice was issued in the application on 27.05.2019.

Learned counsel for the respondent has filed reply to the application, same is taken on record. Copy of reply is handed over to learned counsel for the petitioner.

CM stands disposed of.

With the consent of both the parties, the contempt petition is being taken up for hearing today itself.

COCP No.1744 of 2011:

The present contempt petition has been filed pleading that

the order dated 29.10.2010 passed in CWP No.5340 of 2010 is not being complied with. The operational part of the order is reproduced below:-

“As is apparent from the reply, the State of Punjab is in the process of framing rules. In this view of the matter, the present petition is disposed of, with a direction to the State of Punjab to frame rules expeditiously and thereafter proceed in accordance with law.”

There are two parts of the order. Firstly, the State of Punjab was to frame the Rules expeditiously and thereafter to proceed in accordance with law.

In the reply filed on behalf of the respondent, it has been stated that Rules have been notified and State is proceeding thereafter.

Learned counsel for the petitioner states that after notifying the Rules, the State is not proceeding in accordance with the recommendations of the Law Commission.

Grievance raised by petitioner gives rise to fresh cause of action to the petitioner.

In view of position discussed above, no further order is required in the contempt petition. The rule issued against the respondent is discharged. Needless to say that the petitioner would be at liberty to avail the remedies available in accordance with law, if some fresh cause of action arises or grievance survives.

[AVNEESH JHINGAN]
JUDGE

July 02, 2019

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	No