IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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COCP No.1826 of 2018
Date of Decision: 03.10.2019

Dr. Rajinder Kaur

Petitioner

Versus

S.K. Sandhu, IAS, Addl. Chief Secretary/Principal Secretary to Government of Punjab, Department of Higher Education and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Suvir Kumar, Advocate
for the petitioner.

Mr. Aditya Sharda, AAG, Punjab.

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AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 13.03.2018 passed by this Court in CWP No.6104 of 2018.

The relevant portion of the order is reproduced below:-

> *"In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.1- Principal Secretary to Government of Punjab, Department of Higher Education, Punjab Civil Secretariat, U.T.Chandigarh to consider and decide the legal notice dated 12.12.2016 (Annexure P-34) within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to her, in such eventuality, the consequential relief be allowed to her, within a period of six*

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weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter."

Reply by way of affidavit of Ms. Indu Malhotra, Director Public Instructions (Colleges) Punjab filed today in the Court, is taken on record. Copy of reply is handed over to learned counsel for the petitioner. Alongwith the reply, order dated 23.07.2018 has been annexed.

Learned counsel for the respondents states that legal notice dated 12.12.2016 has been considered. It has been decided that needful cannot be done for release of due giving service benefits after completion of required Refresher Course, as case has not been forwarded by the College concerned with which the petitioner is employed.

Learned counsel for the petitioner states that no cause of action survives for pursuing the contempt petition. However, he seeks liberty to avail remedies in accordance with law as the grievance still survives.

The contempt petition is disposed of as infructuous with liberty as prayed for.

Rule issued against the respondents stands discharged.

[AVNEESH JHINGAN]
JUDGE

October 03, 2019
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1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No

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