

COC-2859-2018

233

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

COC-2859-2018

Date of decision: 24.09.2019

KULDIP SINGH AND OTHERS

.. PETITIONERS

VERSUS

KS GHUMAN

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

**Present:** Mr.Rajesh Punj , Advocate and  
Ms. Jyotika, Advocate  
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

\*\*\*\*

**AVNEESH JHINGAN, J. (Oral)**

The present contempt petition has been filed alleging wilful disobedience of the order dated 26.04.2018 passed by this Court in CWP No. 5833 of 2018. The operative part of the order is reproduced below:

*“In view of the above, without advertting to the merits of the case, the present petition is disposed of with a direction to respondent No.5-Director General of Police-cum-Commandant General Home Guards and Director Civil Defence, Punjab, Sector-17, Chandigarh to consider and decide the legal notice dated 20.12.2017 (Annexure P-20) within six weeks from the receipt of the certified copy of the order. In case, on consideration, he competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible to them or made*

**COCp-2859-2018**

*out, in that case, a speaking order be passed in the matter.”*

A short reply by way of affidavit of Sh. K.S. Ghuman, Commandant General Punjab Home Guards and Director, Civil Defence, Punjab, Chandigarh, was filed annexing order dated 04.09.2018. As per the said order, the claims raised in the legal notice dated 20.12.2017 has been rejected.

Learned counsel for the petitioner submits that in view of the reply filed and order passed, no cause of action survives for pursuing the contempt petition. However, he seeks liberty to avail remedies in accordance with law against order dated 04.09.2018.

Learned counsel for the petitioner further submits that while passing the order reference made to order dated 28.06.2016, copy of the same be supplied.

Learned State counsel submits that copy of the abovesaid order can be collected from the office of Commandant General, Punjab Home Guards and Director, Civil Defence, Punjab, Chandigarh on any working day after one week from today.

Disposed of with liberty as prayed for.

Rule issued against the respondent is discharged.

24<sup>th</sup> September, 2019  
*shabha*

**(AVNEESH JHINGAN)**  
**JUDGE**

*Whether speaking/reasoned* : *Yes/No*

*Whether reportable* : *Yes/No*