

231

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

**COCP No.3495 of 2018
Date of Decision: 11.09.2019**

Blue Jay Filling Station, Panipat

Petitioner

Versus

Mukesh Mittal, Territorial Manager, Bharat Petroleum Corporation
Ltd., Hissar and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R. Kartikeya, Advocate
for the petitioner.

Mr. Raman Sharma, Advocate
for the respondents.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed alleging that the interim protection granted vide order dated 30.11.2017 in CWP No.27105 of 2017 has been violated by issuing order Annexure P-8 appended with the contempt petition.

The contention of learned counsel for the petitioner is that clauses 8 and 9 of show cause notice were challenged in the writ petition.

Clauses 8 and 9 of Show Cause Notice are reproduced below:-

“8. Records related to payment of salaries and wages as advised by OMC/ notified by State Government (whichever is higher)/ Payment not made

thru e-payment to all employees, dealer enrollment in PF & ESIC and payments made, Payment on account of benefit arising out of annual leave, Bonus & gratuity, were not made available to the inspecting team and due to which the same could not be checked.

9. *Records related to PMSBY & PMJJBY were not made available to the inspecting team and due to which the same could not be checked.”*

Learned counsel for the respondents submits that though a Show Cause Notice was issued with regard to 11 irregularities but ultimately order was passed for violation of clause 5.1.8 of unamended Marketing Discipline Guidelines.

In view of stand taken by the respondents in the reply and after perusal of the order, 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 against the order passed.

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

The rule issued against the respondents stands discharged.

[AVNEESH JHINGAN]
JUDGE

September 11, 2019

pankaj baweja

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