

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 1097 of 2019
Date of decision: 22.8.2019

Raj Kumar Kanda

.. Petitioner

v.

H. S. Boparai

.. Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: None for the petitioner.

Mr. Rishabh Gupta, Advocate for the respondent.

...

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading wilful disobedience of the order dated 16.5.2018 passed by this Court in CWP No. 12293 of 2018. The operative part of the said order is reproduced below:

“3. Without expressing any opinion on merits of the case but considering the aforesaid aspects as has been unfolded by the learned counsel for the petitioner, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in legal notice dated 23.02.2018 (P-5) and take a conscious decision within a period of three months from the date of receipt of a certified copy of this order, particularly in the light of the instructions as well as the judgments referred to above in para 1 of this order. In case, competent authorities come to the conclusion that petitioner is entitled to the relief(s) claimed, it shall stand restricted to 38 months in view of Full Bench judgment of this Court in case “*Saroj Kumari vs. State of Punjab & ors.*,

1998 (3) SCT 664”.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of judgment passed by Full Bench of this Court in case **A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468** as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as **Charan Dass vs. State of Punjab & Ors.** decided on July 11, 2017 and Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.”

Short reply by way of affidavit of Sh. Kanwalpreet Singh Sidhu, Additional SE, PSPCL, Operation Division, Samrala has been filed. Along with the reply order dated 30.4.2019 has been annexed whereby the claim of the petitioner raised in the legal notice dated 23.2.2018 has been rejected.

None was present on behalf of the petitioner on the last date of hearing. Even today, there is no representation on behalf of the petitioner in spite of two pass-overs.

In view of the reply of the respondent, no cause of action survives in the present petition. The same is disposed of as infructuous. However, the petitioner would be at liberty to avail remedies in accordance with law against the order dated 30.4.2019.

(AVNEESH JHINGAN)
JUDGE

22.8.2019
mk

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No