

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 1303 of 2019
Date of decision: 3.7.2019

Jagdeepinder Singh and others

.. Petitioners

v.

Smt. Kalpana Mittal Baruah

.. Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

**Present: Mr. D. S. Patwalia, Senior Advocate with
Mr. Harsh Mehla, Advocate for the petitioners.**

Mr. Aditya Sharda, Assistant Advocate General, Punjab.

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AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading that there is wilful disobedience of the order dated 4.7.2018 passed by this Court in CWP No. 15911 of 2018. The operative part 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-Secretary to Government of Punjab, Department of Revenue, Punjab Civil Secretariat, Chandigarh to consider and decide the legal notice dated 27.4.2018 (Annexure P-3) 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 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 out, in that case, a speaking order be passed in the matter.”

As per the order, the legal notice dated 27.4.2018 was to be decided by the respondent within six weeks from the receipt of certified copy of the order.

Learned counsel for the State on instructions from Surinder Kumar, Senior Assistant, FCR Office, Punjab Civil Secretariat submits that the delay was unintentional and occurred as certain other departments were to be consulted while deciding the legal notice. He seeks one opportunity to do the needful within six weeks from today.

In view of the statement made, the present petition is disposed of with a direction to the respondent to take a decision on the legal notice dated 27.4.2018 within six weeks from today. It is however clarified that in case the statement made today on behalf of the respondent is not honoured, the petitioner would be at liberty to revive the petition which shall be at the cost and responsibility of the defaulting official.

(AVNEESH JHINGAN)
JUDGE

3.7.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No