

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No. 1725 of 2019

Date of Decision: 10.09.2019

Buta Singh

.....Petitioner

Versus

Mukesh Kumar Bansal

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P.K. Goklnaey, Advocate
for the petitioner.

Mr. Sehaj Bir Singh, Advocate
for respondent.

AVNEESH JHINGAN, J.(oral)

This contempt petition has been filed pleading wilful disobedience of order dated 16.5.2018 passed in CWP No.12362 of 2018.

*"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 19.03.2018 (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."

Reply by way of affidavit of Er. Kuldip Verma, Additional Superintending Engineer, DS Division, Jalalabad, PSPCL, along with orders has been filed today and same is taken on record. Copy supplied to counsel for the petitioner.

Learned counsel for the petitioner states that in view of the reply filed and orders annexed, no cause of action survives for pursuing the present contempt petition, however, he seeks liberty to avail remedy against the orders annexed with the reply whereby his claim has been rejected.

Disposed of as infructuous with liberty as prayed for.

Rule issued against the respondent stands discharged.

(AVNEESH JHINGAN)
JUDGE

10.09.2019
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Whether speaking/reasoned	Yes
Whether Reportable:	No