

223/4 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No. 1936 of 2019
DECIDED ON: OCTOBER 18, 2019

GURDIT SINGH KAUSHAL

.....PETITIONER

VERSUS

ER. BALDEV SINGH SRAN, CHAIRMAN-CUM-MANAGING
DIRECTOR, PSPCL, PATIALA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ravinder Sharma, Advocate, for the petitioner.

Mr. Sehaj Bir Singh, Advocate,
for the respondent.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed pleading wilful disobedience of the order dated 14.05.2018 passed in CWP No. 12084 of 2018.

The relevant portion of the order is reproduced as 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.1 to look into the grievances unfolded by the petitioner in legal notice dated 10.03.2018 (P-4) and to 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 Circular Nos. 17/90, dated 23.04.1990 (P-1), 52/99, dated 09.11.1999 (P-2) and 20/2000, dated 28.07.2000 (P-3) as well as judgments referred to above in

para 2 of this order. In case, competent authorities come to the conclusion that petitioner is entitled to the relief(s) claimed, the same be released to him within a period of next 45 days.

4. *Since, there is an inordinate delay on the part of the petitioner in approaching the court, the claim shall stand restricted to 38 months prior to the filing of instant petition in view of law laid down by Hon'ble Apex Court in the case of “ **Saroj Kumari v.State of Punjab and others**”, 1998 (3) SCT 664.*

5. *However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to other remedies available to him under law including to approach this Court.”*

Learned counsel for the respondent, on instructions from Mr. Munish Kumar Jindal, Sr. Executive Engineer, Dirba, submits that the directions of this Court have been complied with. The claim of the petitioner was considered and rejected vide order dated 18.04.2019.

Learned counsel for the petitioner is not controverting the said fact, however, seeks liberty to avail remedy in accordance with law.

It would be pertinent to note here that while disposing of the writ petition, the writ Court had already granted liberty to approach this Court, in case of passing an adverse order or rejection of the claim putforth by the petitioner.

Disposed of.

OCTOBER 18, 2019
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No