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

COCP No.2384 of 2019

Date of Decision: 24.07.2019

**M/S SKY LARK SPINNING MILLAS THROUGH ITS PARTNER/
ATTORNEY MOHAN LAL**

.....Petitioner

Vs

VINNI MAHAJAN IAS AND ORS

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Abhinav Jain, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, A.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner seeks initiation of contempt proceedings against the respondents for willful defiance of order dated 16.05.2018 passed in CWP No.14452 of 2018 titled '*M/s Sky Lark Spinning Mills vs. State of Punjab and others*'. The said order reads as under:-

"Only grievance of the petitioner is that subsidy sanctioned to the petitioner has not been released. He submitted a representation to which reply has been sent by respondent No.2 that guidelines are being framed by the department to disburse subsidy for the closed units and the case of the petitioner would be considered after finalisation of guidelines. As

no decision has been taken as yet on claim of the petitioner, the writ is premature. Same is disposed of with a direction that necessary action pursuant to letter Annexure P/5 be taken expeditiously preferably within six months.”

[2]. Perusal of the order would show that the representation of the petitioner would be considered only after finalization of the guidelines by the respondents. Admittedly, the guidelines have not been framed so far. There is no such direction to the respondents to frame guidelines within the specified period. The direction in the form of taking action pursuant to letter Annexure P-5 (Representation) expeditiously preferably within a period of six months does not constitute any willful defiance of the aforesaid order dated 16.05.2018.

[3]. In view of above, no action can be initiated against the respondents. Consequently, this contempt petition is dismissed. However liberty is granted to the petitioner to take recourse to appropriate remedy in accordance with law.

July 24, 2019

Atik

Whether speaking/reasoned
Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No
Yes/No