

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 2818 of 2019
Date of decision: 23.9.2019

Rekha Devi

.. Petitioner

v.

Dr. Shaleen

.. Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. K. S. Dhanora, Advocate for the petitioner.
Mr. Anil Chawla, Advocate for the respondent.

...

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading wilful disobedience of the order dated 31.5.2019 passed by this Court in CWP No. 15938 of 2019. The operative part of the said order is reproduced below:

“After hearing learned counsel for the petitioner and without commenting on the merits of the case, we dispose of the instant petition with a direction to the respondents to consider and decide legal notice (Annexure P-3) submitted by the petitioner, by passing a speaking order, as expeditiously as possible.”

Learned counsel for the respondent has produced order dated 12.9.2019 in court, the same is taken on record and copy handed over to learned counsel for the petitioner.

As per the order, the petitioner is entitled to refund of ₹11,59,605/- and the refund would be released as per the seniority order.

Learned counsel for the petitioner states that in view of the order passed, no cause of action survives for pursuing the present contempt petition. However, he seeks liberty to avail remedies in case there is a grievance with regard to calculation of the amount and against the decision that refund would be released as per seniority order.

The contempt petition is disposed of as infructuous with liberty as prayed for.

Needless to add that the petitioner would be entitled to file a fresh contempt petition in case he has positive evidence to prove that the alleged seniority list, maintained by the respondent for issuance of refund, is violated.

(AVNEESH JHINGAN)
JUDGE

23.9.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No