

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 3394 of 2019

Date of decision: 21.11.2019

Gurdev Singh and others

.. Petitioners

v.

Seema Jain and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sameer Sachdeva, Advocate for the petitioners.
Mr. Aditya Sharda, AAG, Punjab.
Mr. N. P. S. Mann, Advocate for respondent No. 3.

...

AVNEESH JHINGAN, J. (Oral)

Sections 10 and 12 of the Contempt of Courts Act, 1971 have been invoked by the petitioners pleading that directions of this Court issued on 30.5.2019 in CWP No. 15287 of 2019 have not been complied with.

The writ petition filed by the petitioners claiming benefit of service rendered with the respondents from the year 2006 onwards was disposed of with a direction to the respondents to take decision on the legal notice dated 18.1.2019.

On 30.9.2019, learned counsel for the State took time to have instructions. Today, he has sought a pass-over stating that he has not received any instructions as no official of the respondent-department has approached him till now. It has become a routine feature that in the

contempt proceedings that officials generally come to the Court on the date fixed and no advance instructions are given to learned counsel for the State. By adopting the said method, it is ensured either the matter is adjourned or the State counsel does not have enough time to have a look into the documents produced or to verify the instructions given. Today itself, it is a third case in the beginning of the list, the conduct, as stated above, of the officials of the State of Punjab results in wastage of Court time creating hindrance in the process of law.

It would be pertinent to note here that in one of the cases fixed today at Sr. No. 107, it was ordered that if needful is not done, Director, Department of Sports, Punjab shall remain present in Court. Even in that case, neither there is a reply/compliance report nor the Director is present.

Let this matter be brought to the notice of the Chief Secretary, Punjab before any further observation or steps are taken by this Court.

On the request of counsel for the State, the case is passed-over.

After pass over

Learned State counsel submits that he has got no instructions from respondents No. 1 and 2 as no one is present.

However, learned counsel for respondent No. 3 submits that decision on the legal notice dated 18.1.2019 has been taken and the same would be communicated to the petitioners within two weeks. He further contends that an amount of ₹5,58,400/- is found due to the petitioners and the same would be credited in the account of the petitioners, as per details provided by them within two weeks from today.

In view of the statement made, the contempt petition is disposed of.

The respondents shall provide the detailed calculation of the amount found due and in case the petitioners are aggrieved of the said calculation and they would be at liberty to avail remedy in accordance with law.

Let copy of this order be sent to Chief Secretary, Punjab to bring to his notice the conduct of the officials.

(AVNEESH JHINGAN)
JUDGE

21.11.2019

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