

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

COCP No.1017 of 2020 (O&M)
Date of Decision:18.5.2020

Balbir Kumar (since deceased) through Lrs ... Petitioners

Versus

Sanjay Kumar and others ... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Gagneshwar Walia, Advocate for the petitioners

Ms.Anu Pal, A.A.G., Punjab

RAJIV NARAIN RAINA, J. (Oral)

1. The matter is taken up for hearing through Video Conferencing due to pandemic of COVID-19.
2. I have heard learned counsel for the parties and gone through the paper-book.
3. Municipal Council, Batala is clearly in contempt of orders/directions of this Court passed on 27.9.2019 granting service benefits to the family of the deceased employee. As per the directions, the rights determined between the deceased employee and the State, a monetary claim subsists under the court directions.
4. Ms.Anu Pal, learned counsel for the State undertakes to inform the Municipal Council, Batala over which the State exercises superintendence, to clear the entire outstanding amounts under the decree of this Court and make payment within 15 days to the LRs of the deceased employee through RTGS into their bank account to be supplied by the learned counsel for the petitioner to Ms. Anu Pal to facilitate transfer of money.
5. The Municipal Council, Batala may be reminded that compliance was due in December, 2019 and apparently, no steps have been taken to implement the directions.

6. On the statement of Ms.Anu Pal, learned counsel for the State, this petition is disposed of accordingly. However, it is directed that interest at the rate of 6% per annum awarded by the learned Single Judge shall stand enhanced to 9% per annum from the date of expiry of period of three months, as per the directions of this Court. This extra amount of interest be also added to the grand total to be paid as per this order. In addition to enhanced rate of interest, as a further safeguard, liberty is granted to the petitioner to revive the contempt petition in case of non-compliance.

7. Contempt Petition is disposed of accordingly.

18.5.2020
kv

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No