

COCN No.1233-2020

Date of Decision: 04.11.2020

Sucha Singh and another

...Petitioners

vs.

Viswajeet Khanna and another

...Respondents

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Anshul Gupta, Advocate for the petitioners.

Mr. Aditya Sharda, AAG, Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.

2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971, is for punishing the respondent for willful and deliberate disobedience of judgment dated 25.02.2019, in CWP No.4848 of 2019.

3. Learned counsel contends that vide order dated 25.02.2019, CWP No.4848 of 2019, was disposed of by directing the respondent to consider and decide representation dated 25.07.2018, within three months from date of receipt of certified copy of the order and in case the petitioners were found entitled to any monetary benefit, the same be paid to them within three months thereafter, but despite lapse of sufficient period of time, needful has not been done, therefore, the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971.

4. Learned AAG, Punjab, on instructions from respondent No.1, states that representation dated 25.07.2018, has been decided vide order

Annexure R/1 and R/2 dated 31.07.2020 and the petitioners have been found

entitled to grant of monetary benefits, which have been remitted to their bank and as per intimation given by the bank, would be credited in the accounts of the petitioners, within four weeks from today.

5. The same satisfies learned counsel for the petitioners, who states that in view of the stand of the respondents as well as assurance held out by learned AAG, Punjab, on instructions from respondent No.1, he does not press the Contempt Petition at this stage and the same may be disposed of as such while granting liberty to the petitioners to challenge order dated 13.10.2020, declining grant of interest on the payment to be made to them as also with liberty to the petitioners to move an application for revival of the Contempt Petition, if the circumstances of the case so warrant.

6. In view of the statement of learned counsel for the parties, the Contempt Petition is disposed of while granting liberty to the petitioners to challenge order dated 13.10.2020, in accordance with law, as also by directing respondent No.1 to ensure credit of the payment in the bank accounts of the petitioners as per their entitlement, within a period of four weeks from today. However, it is made clear that in case the needful is not done within the stipulated period of time, the petitioner's would be at liberty to move an application for revival of the contempt petition.

(B.S. Walia)
Judge

04.11.2020

'PS-Rajesh'

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