

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No.2004 of 2020

Date of Decision : 19.11.2020

Sukhdev Singh

...Petitioner

Versus

Vishawjeet Khanna and others

....Respondents

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

Present : Ms. Alisha Arora, Advocate for the petitioner.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

B.S. Walia, J. (VC)

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

2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondents for willfully disobeying order Annexure P/1 dated 09.09.2019, in CWP No.20920-2018.

3. Learned counsel contends that vide order, Annexure P-1, dated 09.09.2019, CWP No.20920-2018 was disposed of by directing the respondents to grant parity to the petitioner by according him the benefit of regularization from the date his juniors were granted the same, within three months by passing appropriate orders and arrears be calculated and disbursed to the petitioner along with interest @ 6% per annum 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, for violation of order dated 09.09.2019, in CWP No.20920 of 2018.

4. Learned Sr. DAG, Punjab, has placed on record short reply along with order dated 28.08.2020 (Annexure R1/T), passed by respondent No.3, as per which, the petitioner has been regularized with effect from the date his juniors were regularized and has also been released arrears in terms of order dated 09.09.2019, in CWP No.20920-2018, which have been credited in the bank account of the petitioner. He however states that interest @ 6% per annum on the arrears would be released after the processing of the matter by the department within six weeks from today.

5. The same satisfies learned counsel for the petitioner, who states that in the circumstances, she does not press the Contempt Petition and the same may be disposed of as such while granting liberty to the petitioner to move an application for revival of the Contempt Petition, in case the needful is not done within stipulated period of time, as also to challenge order Annexure R1/T, dated 28.08.2020, in accordance with law, qua denial of remaining relief claimed.

6. The same is not opposed to by learned Sr. DAG, Punjab.

7. Accordingly, in the light of the statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage while granting liberty to the petitioner to challenge order Annexure R1/T dated 28.08.2020, in accordance with law, if the circumstances of the case so warrant. Further the respondents are directed to release interest on arrears in terms of order dated 09.09.2019, in CWP No.20920 of 2018, to

Sr. DAG, Punjab, within six weeks from today. Needless to mention, in case the needful is not done within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the Contempt Petition.

(B.S. Walia)
Judge

19.11.2020
'Rajesh-PS'

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