

COCP No.2023 of 2020

Date of Decision : 05.11.2020

Jaspal Singh & Ors.

...Petitioners

Versus

Satish Chandra and others

....Respondents

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

Present : Mr. A.P.S. Tung, Advocate for the petitioner.
 Ms. Aditya Sharda, AAG, Punjab.
 Mr. Dharam Vir Sharma, Sr. Advocate with
 Mr. Harit Sharma, Advocate for respondent No.2.

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. Learned counsel contends that CWP No.20402 of 2011 was allowed by directing the petitioners to be heard in person by the State Government and their claims to be decided on merits and till passing of fresh orders, *status quo* was directed to be maintained but despite lapse of more than 07 years, needful has not been done.
3. Notice to respondent No.1 to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for violation of the orders of the Division Bench dated 08.07.2013 in CWP No.20402 of 2011 in case titled as '*Jaspal Singh and Ors. v. State of Punjab and others in terms of decision in CWP No.19786 of 2011.*
4. Mr. Aditya Sharda, learned Asstt. A.G., Punjab, accepts notice on behalf of respondent Nos.1 and 3 while Mr. Dharamvir Sharma, Sr. Advocate assisted by Mr. Harit Sharma, Advocate accepts notice on behalf of respondent No.2.

in the office of respondent No.1, states that since there are a large number of affected petitioners who have to be given personal hearing, the needful is under process and in case 12 weeks' more time is granted, the needful would be done and fresh orders passed and conveyed to the petitioners.

5. The same satisfies learned counsel for the petitioners, who states that in view of the assurance held out by Mr. N.S. Sodhi, Law Officer in the office of respondent No.1 on behalf of respondent No.1 to pass fresh orders in terms of the decision of Hon'ble the Division Bench dated 08.07.2013 in CWP No.20402 of 2011 within 12 weeks from today, 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 move an application for revival of the contempt petition, if the circumstances of the case so warrant.

6. I have considered the submissions of learned counsel for the parties.

7. It is indeed unfortunate that despite orders dated 08.07.2013, directing the passing of fresh orders by the State Government by considering the claims of the petitioners, orders have not been passed despite lapse of a period of close to 07 years. Be as it may, in view of the assurance held out by the learned State Counsel, one final opportunity is granted to respondent No.1 to decide the claim of the petitioners in terms of order dated 08.07.2013 in CWP No.20402 of 2011 within 12 weeks from today with the orders to be passed on the claim of the petitioners to be conveyed to the petitioners within 01 week thereafter. However, it is made clear that in case the needful is not done within the stipulated period of time, the petitioners are granted liberty to move an application for revival of the contempt petition for appropriate action in accordance with law.

8. Contempt petition ***disposed of*** with the aforementioned directions.

November 05, 2020
'Rajneesh-Amit'

(B.S. Walia)
Judge

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