

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-2039-2020

Date of Decision: 07.10.2020

Mohan Lal

...Petitioner

vs.

Satish Chandra, IAS and others

...Respondents

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

Present: Mr. Gagneshwar Walia, Advocate for the petitioner.

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 Contempt Petition under Section 10 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India is for taking action against the respondents for non-compliance with the order of this Court Annexure P/1 dated 01.07.2020, in CWP No.8942 of 2020, in case titled as Mohan Lal vs. State of Punjab and others.
3. Learned counsel contends that vide order Annexure P/1 dated 01.07.2020, CWP No.8942 of 2020, was disposed of by this Court, by directing the competent authority to decide the claim as made in legal notice Annexure P/2 dated 10.03.2020 by passing a speaking order, after taking into account the decision in **Vinod Kumari Sharma vs. State of Punjab and others 2019 (3) SCT 351**, within 45 days from the date of order and in case the petitioner was found entitled to benefits, to release the same to the petitioner within 30 days thereafter, but that needful has not been done till date.
4. Notice to respondent No.4 only to show cause as to why proceedings under the Contempt of Court Act, 1971 be not initiated against him for non-compliance with the orders of this Court.

5. Ms. Deepali Puri, Addl. AG, Punjab, accepts notice on behalf of respondent No.4 and on instructions from respondent No.4, states that the legal notice dated 10.03.2020, has been decided vide order dated 15.09.2020. Learned Addl. AG, Punjab, has produced copy of said order which is taken on record and copy thereof furnished to learned counsel for the petitioner. Learned Addl. AG, Punjab, requests for some time to release the financial benefits to the petitioner, in terms of order dated 15.09.2020, passed by respondent No.4.

6. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the Contempt Petition but respondent No.4 be directed to release the financial benefits as per order dated 15.09.2020, within specified period of time, while granting liberty to the petitioner to challenge the said order in case the petitioner is not satisfied with the determination of financial benefits in order dated 15.09.2020.

7. Learned Addl. AG, Punjab, states that she has no objection to the aforementioned course of action.

8. In view of the statement of learned counsel for the parties, the Contempt Petition is disposed of as not calling for any orders, except directing respondent No.4 to release the financial benefits to the petitioner, in terms of order dated 15.09.2020, within a period of four weeks from today. Needless to mention, in case the petitioner is not satisfied with the determination of financial benefits in order dated 15.09.2020, he would be at liberty to challenge the same in accordance with law.

(B.S. Walia)
Judge

07.10.2020
'Amit-Rajesh'