

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-2087-2020

Date of Decision: 13.10.2020

Jaimal Singh

...Petitioner

vs.

Kakumanu Siva Prasad and others

...Respondents

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

Present: Mr. Amit Arora, 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 Petition under Section 12 of the Contempt of Courts Act, 1971, is for punishing the respondents for willful and deliberate disobedience of the order of the writ Court dated 16.01.2020, in case titled as Jaimal Singh vs. State of Punjab and others.

3. Learned counsel contends that vide order dated 16.01.2020, CWP No.10197 of 2016, was disposed of by directing the respondent to pay interest @ 9% per annum on the retiral benefits to the petitioner to be calculated within three months after the date of retirement till the said amount was actually paid to the petitioner, but despite lapse of more than one year, needful has not been done.

4. Notice of motion to respondent Nos.2 and 3.

5. Mr. Anupam Singla, Advocate, accepts notice on behalf of respondent Nos.2 and 3 and states that due to the bad financial condition of the PRTC compounded by the situation arising due to Covid-19 pandemic, operations of the Corporation suffered a serious setback, consequently, payment could not be made to the petitioner, but in case twelve weeks more

time was granted, the needful would be done and payment on account of interest in terms of order of the writ Court dated 16.01.2020, would be made to the petitioner.

6. Learned counsel for the petitioner on the other hand states that already substantial period of time has lapsed, therefore, the respondents be granted reasonable period of time to comply with the order of the writ Court dated 16.01.2020.

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

8. Admittedly, vide order dated 16.01.2020, CWP No.10197 of 2016, was disposed of by directing the respondent to calculate the interest payable on the retiral benefits within two months from the date of order and to make payment thereof within one month thereafter, but despite lapse of a number of months, needful has not been done. However, taking into account all aspects of the matter including the undertaking given by respondent Nos.2 and 3 through learned counsel, the Contempt Petition is disposed of by granting liberty to the respondents to make payment in terms of order of this Court dated 16.01.2020, to the petitioner, within eight weeks from today. However, it is made clear that 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

13.10.2020

'Amit-Rajesh'