

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-2084-2020 (O&M)
Date of Decision: 13.10.2020

Jai Bhagwan Sharma

...Petitioner

vs.

Rajeev Arora and others

...Respondents

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

Present: Mr. Ram Niwas Sharma, Advocate and
Mr. Deepak Achint, 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 Sections 11 and 12 of the Contempt of Courts Act, 1971, is for initiating contempt proceedings against the respondent for willful and deliberate disobedience and non-implementation of order Annexure P/1 dated 11.02.2020, passed by this Court in CWP No.3680 of 2020, in case titled as Jai Bhagwan Sharma vs. State of Haryana and others.
3. Learned counsel contends that vide order dated 11.02.2020, CWP No.3680 of 2020, was disposed of by directing the respondent to decide the legal notice Annexure P/7 dated 03.07.2019, as expeditiously as possible, preferably within two months from the date of receipt of certified copy of the order and in case the petitioner was found entitled to the benefits claimed, the same be disbursed to the petitioner forthwith, otherwise, a speaking order be passed, but needful has not been done in terms of the order as referred to above.

4. Notice of motion to respondent No.2.
5. Mr. Sumit Gupta, Addl. AG, Haryana, accepts notice on behalf of respondent No.2 and has referred to order Annexure P/2 dated 22.05.2020, passed by respondent No.2, in compliance with the order of this Court dated 11.02.2020 and states that in the circumstances, no further orders are called for in the instant writ petition. Learned Addl. AG, Haryana, however, states that certain objections had been raised vide order Annexure P/2 dated 22.05.2020, but the same have been removed by respondent No.2 today itself and communication in respect thereto sent to respondent No.5 for release of payment due to the petitioner and that in case some more time is granted, needful would be done.
6. Learned counsel for the petitioner states that he would be satisfied in case the Contempt Petition is disposed of by directing respondent No.5 to release the admitted amount to the petitioner, as per his entitlement as intimated by respondent No.2, within time to be stipulated by this Court while granting liberty to the petitioner to challenge order Annexure P/2 dated 22.05.2020, to the extent it denies the benefits claimed by the petitioners.
7. Accordingly, in view of the statement of learned counsel for the parties, the Contempt Petition is disposed of by directing respondent No.5 to release the payment to the petitioner as per the recommendation of respondent No.2, within a period of four weeks from today. Needless to mention, the petitioner would be at liberty to challenge order Annexure P/2 dated 22.05.2020, to the extent it denies the benefits claimed by the petitioner, in accordance with law. However, it is made clear that in case the needful is not

done by the respondent 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'

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