

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-2285-2020

Date of Decision: 28.10.2020

Parkash Chand

...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 Petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India is for initiating contempt proceedings against the respondents for willful, intentional and deliberate non-compliance with the order of this Court Annexure P/1 dated 30.07.2020, in CWP No.10931-2020.
3. Learned counsel contends that vide order Annexure P/1 dated 30.07.2020, CWP No.10931-2020, was disposed of by directing the Regional Deputy Director, Department of Local Government, Ferozepur Cantt. and Executive Officer, Municipal Council, Kotkapura, District Faridkot, to consider and decide notice dated 10.03.2020, within one month from the date of receipt of copy of the order and to convey the decision to the petitioner forthwith and further that in case the claim of the petitioner was accepted, to release consequential benefits to the petitioner within a period of three weeks

thereafter but despite lapse of the stipulated period of time, needful has not been done.

4. Notice to respondent Nos.3 and 4 to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against them for non-compliance with the orders of this Court dated 30.07.2020, in CWP No.10931-2020

5. Ms. Deepali Puri, Addl. AG, Punjab, accepts notice on behalf of respondent Nos.3 and 4 and on instructions from respondent No.4 states that decision has been taken on notice dated 10.03.2020, but the same could not be conveyed to the petitioner nor payment of consequential benefits released to him due to circumstances prevailing on account of Covid-19 pandemic but in case some time is granted not only the order passed on notice dated 10.03.2020 would be conveyed to the petitioner but the consequential benefits would also be released to the petitioner.

6. Learned counsel for the petitioner states that in case the respondents releases the consequential benefits to the petitioner within time as is granted by this Court in terms of the assurance held out by respondent No.4, through Addl. AG, Punjab, he would not press the Contempt Petition at this stage and the same may be disposed of by granting liberty to the petitioner to revive the Contempt Petition if the circumstances of the case so warrant.

7. In view of the statement of learned counsel for the parties, the Contempt Petition is disposed of by directing respondent Nos. 3 and 4 to release the consequential benefits to the petitioner in terms of the assurance held out by respondent No.4 through learned Addl. AG, Punjab, within four weeks from today. However, it is made clear that in case needful is not done

within the aforementioned period of time, the petitioner would be at liberty to move an application for revival of the Contempt Petition.

28.10.2020
'PS-Rajesh'

(B.S. Walia)
Judge

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No