

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-23861-2015 (O&M)
Date of Decision:-02.03.2020.

Sukhwinder Kaur

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Baljinder Singh, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

Mr. Kamal Satija, Advocate for respondent Nos.5 to 7.

SANJAY KUMAR, J. (Oral):

By order dated 11.12.2017 passed in this writ petition, respondent Nos.1 to 4 were asked to show cause as to why proceedings should not be initiated against them for willful disobedience to the order dated 16.11.2015 passed earlier, directing that *status quo* should be maintained. Thereupon, respondent Nos.1 to 4 filed affidavit dated 19.01.2018 but therein, they only explained as to why the petitioner was not reinstated in office in view of the interpretation of the *status quo* order dated 16.11.2015. According to them, as the petitioner was already divested of the post on 03.09.2015, the *status quo* order passed long thereafter did not have the effect of requiring her reinstatement in office. However, the affidavit does not explain as to why an election was held to the post subsequently in

February, 2016, in clear violation of the said *status quo* order.

The Registry is therefore directed to initiate *suo motu* contempt proceedings against respondent Nos.1 to 4 independently in accordance with the due procedure. The names of the officers concerned, who were arrayed as respondent Nos.1 to 4, shall be made available to the Registry by the office of the learned Advocate General, Punjab, within two weeks.

In so far as the main case is concerned, Mr. Baljinder Singh, learned counsel for the petitioner, states that the cause in this writ petition does not survive for consideration on merits inasmuch as the term of the petitioner as the Sarpanch of the Gram Panchayat of Village Bharongia, Block Majri, Tehsil Kharar, District S.A.S. Nagar (Mohali), State of Punjab, has already expired by efflux of time.

Recording the said statement, the writ petition is disposed of as infructuous.

Pending miscellaneous applications shall also stand closed in the light of the above order.

No order as to costs.

Registry shall take steps for registration of the *suo motu* contempt case expeditiously.

(SANJAY KUMAR)
JUDGE

March 02, 2020.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.