

COCP No.2580 of 2020

Date of Decision : 25.11.2020

Guru Nanak College for Girls

...Petitioner

Versus

Rahul Bhandari and another

....Respondents

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

Present : Mr. Sameer Sachdeva, 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 Covid-19 pandemic.

2. Prayer in the petition under Article 215 of the Constitution of India read with Sections 11 & 12 of the Contempt of Courts Act, 1971, is for taking action against the respondents for willfully and intentionally violating order (Annexure P-1) dated 09.06.2020 in CWP No.7899 of 2020.

3. Learned counsel for the petitioner contends that vide order (Annexure P-1) dated 09.06.2020, the writ petition was disposed of with a direction to the respondents to consider and decide legal notice dated 18.09.2019, in accordance with law, preferably by 31.08.2020 and to release the amount claimed forthwith in case the petitioner was found entitled to the same but despite lapse of sufficient period of time, needful has not been done therefore the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971.

under the Contempt of Courts Act, 1971 be not initiated against them for non-compliance with order dated 09.06.2020 in CWP No.7899 of 2020.

5. Ms. Deepali Puri, learned Addl. A.G., Punjab, accepts notice on behalf of the respondents and on instructions from respondent No.2 states that claim made in legal notice dated 18.09.2019 has been decided, amount of Rs.22,14,219/- sanctioned and that the same would be released to the petitioner-college within three weeks from today.

6. Learned counsel for the petitioner states that although the claim was for approximately Rs.30 lacs, yet, in view of the stand of respondent No.2, he does not press the contempt petition, and prays that the same be disposed of as such at this stage while directing respondent No.2 to furnish details of the amount sanctioned for release, so as to enable the petitioner to take up the matter with the authorities for release of the balance amount as per claim filed / take out appropriate proceedings, in accordance with law qua the amount which has been withheld.

7. The same is not opposed by learned State Counsel.

8. In view of the statement of learned counsel for the parties, the contempt petition is disposed of as not pressed while directing respondent No.2 to release payment of Rs.22,14,219/- within 03 weeks from today as also to furnish details of the amount as sanctioned to the petitioner within two weeks from today to enable the petitioner to take up the matter before the authorities for release of the balance amount claimed / to take out appropriate proceedings in accordance with law qua the amount which has been withheld. In case, representation is submitted by the petitioner on receipt of details of payment made, for claiming the balance amount out of

the total amount claimed, the same be considered and decided in accordance with law after taking into account all aspects of the matter as expeditiously as possible, preferably within 08 weeks of the date of receipt of representation.

November 25, 2020

‘Rajneesh-Amit’

(B.S. Walia)

Judge

Whether speaking/ reasoned

:

Yes/No

Whether reportable

:

Yes/No