

COCP-2592-2020

Date of Decision: 03.12.2020

Puja Rani

...Petitioner

vs.

Krishan Kumar and another

...Respondents

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

Present: Mr. Sukhdev Kamboj, 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 initiating action against the respondents for intentionally and willfully violating order Annexure P/1 dated 05.02.2020, in CWP-26665-2016.

3. Learned counsel contends that vide order dated 05.02.2020 in CWP-26665-2016, the respondents were directed to consider the petitioner eligible and issue appointment letter to her for the post of Social Science Mistress within two weeks from the date of order and also give financial benefits to her restricted to 38 months prior to the date of passing of the order and that although the petitioner has been issued appointment letter yet financial benefits in terms of order dated 05.02.2020, in CWP-26665-2016, have not been released to her, therefore, the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971.

4. Issue notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated

February, 2020, in CWP-26665-2016.

5. Ms. Sunint Kaur, learned AAG, Punjab, accepts notice on behalf of the respondents and on instructions from the respondents, states that the claim of the petitioner for release of financial benefits in terms of order dated 05.02.2020, is under process and financial benefits as per entitlement, would be released to the petitioner within four weeks from today.

6. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the Contempt Petition and the same may be disposed of as such at this stage while granting liberty to the petitioner to move an application for revival of the Contempt Petition if the circumstances of the case, so warrant.

7. Accordingly, in the light of statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage, while directing the respondents to release financial benefits to the petitioner in terms of order dated 05.02.2020, in CWP-26665-2016, within four weeks from today. Needless to mention, 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

03.12.2020

'Rajesh-PS'

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