

COCP No.2775 of 2020

Date of Decision : 11.12.2020

Dharampal

...Petitioner

Versus

Yogender Chaudhry and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia**Present :** Mr. Sandeep Parkash Chahar, 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 Sections 11 & 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondents for intentionally and willfully not complying with order (Annexure P-1) dated 27.01.2020, in CWP No.6750 of 2017.

3. Learned counsel for the petitioner contends that vide order (Annexure P-1) dated 27.01.2020, CWP No.6750 of 2017 was allowed and the petitioner was held entitled to the benefit of annual increments and the respondents were directed to pay arrears of annual increments from 2010 to the petitioner along with interest @ 8% per annum within 04 months of receipt of certified copy of the order, however, the needful was not done, therefore the instant contempt petition was filed. Learned counsel for the petitioner however, fairly conceded that Hon'ble the Division Bench vide order dated

01.12.2020 in LPA No.851 of 2020 had stayed the operation of judgment dated 27.01.2020 in CWP No.6750 of 2017 and that in the circumstances, he does not press the contempt petition and may be permitted to withdraw the same, at this stage, with liberty to file a fresh contempt petition, pursuant to the decision of the LPA referred to above, if the circumstances of the case, so warrant.

4. In view of the statement of learned counsel for the petitioner, the contempt petition is ***dismissed as withdrawn***, with the liberty, as prayed for.

(B.S. Walia)
Judge

December 11, 2020

'Rajneesh-Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>