122 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-322-2021
Date of Decision: 10.02.2021.

Surinder Singh and others …Petitioners

vs.

Jaspreet Kaur and another …Respondents

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

Present: Mr. Harit Sharma, Advocate for the petitioner.

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B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Learned counsel contends that despite order dated 07.01.2020, in CWP-22607-2017, disposing of the writ petition in same terms as in CM-5105-CWP-2019 in/and CWP-22531-2010, titled as Manjeet Singh and others vs. State of Punjab and others, decided on 15.07.2019, as per which, the claim of the petitioners was directed to be decided in the light of notification dated 10.06.2015, 04.11.2015 and the judgment passed in CWP No.12299-2017 in case titled as Pardeep Kumar vs. State of Haryana and others, within twelve weeks from the date of receipt of certified copy of the order, no decision has been taken qua the claim of the petitioners, despite lapse of sufficient period of time and repeated representations, therefore, respondent Nos.1 and 2 are liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of orders of this Court as referred to above.

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3. Issue notice to respondent Nos.1 and 2, 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 as referred to above.

4. Mr. Aditya Sharda, AAG, Punjab, accepts notice on behalf of respondent Nos.1 and 2 and on instructions from respondent No.1 states that needful could not be done on account of circumstances prevailing due to Corona Virus pandemic, but in case four weeks time is granted, needful would be done qua the claim of the petitioners in terms of orders of this Court as referred to above.

5. The same satisfies learned counsel for the petitioners, 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 directing respondent Nos.1 and 2 to adhere to the assurance held out by them through learned AAG, Punjab and to decide the claim of the petitioners in a time bound manner while granting liberty to the petitioners to move an application for revival of the Contempt Petition, if the circumstances of the case, so warrant.

6. Accordingly, in view of the position as noted above as well as statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage while directing respondent Nos.1 and 2 to adhere to the assurance held out by them through the learned AAG, Punjab, and to decide the claim of the petitioners in terms of orders of this Court as referred to above, within four weeks from today and in case of finding the petitioners entitled to financial benefits, to

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release the same within four weeks thereafter. However, in case, the competent authority comes to a conclusion that the relief claimed by the petitioners is not permissible or that the petitioners are not entitled to the same, in that eventuality, a speaking order be passed in respect thereto. Needless to mention, in case the needful is not done within the stipulated period of time, the petitioners would be at liberty to move an application for revival of the Contempt Petition.

**(B.S. Walia)**
**Judge**

10.02.2021.
*'Rajesh-PS'*

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

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