

Hoshiar Singh

...Petitioner

versus

Krishan Kumar Dhull and another

...Respondents

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

Present: Mr. B.K. Bagri, Advocate for the petitioner.
Mr.Pardeep Solath, Advocate for the respondents.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Sections 10 & 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, is for initiating action against the respondents for intentional and willful disobedience of order (Annexure P-1) dated 17.09.2020 in CWP No.14688 of 2020.

[2] Learned counsel contends that payment as per entitlement was not released to the petitioner in terms of order (Annexure P-1) dated 17.09.2020 in CWP No.14688 of 2020, therefore, the instant petition was filed but pursuant thereto, entire payment as per entitlement has been released to the petitioner, therefore, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of, as such.

[3] Learned counsel for the respondents contends that the outstanding salary and retiral benefits had been released to the petitioner and it is only the claim for interest on the delayed payment of retiral benefits, which could not be paid earlier on account of the extremely poor

financial condition of the Council for Child Welfare, besides no payment on account of arrears of 6th Pay Commission has been made to any other employee of the Council for Child Welfare on account of the poor financial position of the Council. Learned counsel further contends that in the circumstances, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

[4] I have considered the submissions of learned counsel for the parties and in view of the position noted above, as well as the payment having been made to the petitioner on account of the dues as per entitlement in terms of order (Annexure P-1) dated 17.09.2020 in CWP No.14688 of 2020, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

[5] Accordingly, the contempt petition is *disposed of*, as such.

[6] *Rule discharged.*

(B.S. Walia)
Judge

29.09.2021

'Rajneesh'

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