

COCp-1684-2021 (O&M)

Date of Decision: 17.08.2021.

Bhim Singh and others

...Petitioners

VS.

Bhupinder Pal Singh

...Respondent

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

Present: Mr. Ishan Kaushal, Advocate for the petitioners.

B.S. Walia, J. (VC)

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

2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 is for initiating proceedings against the respondent for intentional and willful defiance of order (Annexure P-1) dated 22.04.2019 in CWP No.17673 of 2018 in case titled as Subhash Chander and others vs. Pepsu Road Transport Corporation, Nabha Road, Patiala, decided in terms of order dated 04.09.2017 in CWP No.15306 of 2016 in case titled as Hari Ram and others vs. Pepsu Road Transport Corporation.

3. Learned counsel contends that CWP No.17673 of 2018 was disposed of vide order dated 22.04.2019 in terms of order dated 04.09.2017 in CWP No.15306 of 2016, and as per said decision, the petitioners are entitled to interest @ 9% per annum on the delayed payment after expiry of three months from the date of their retirement till its actual payment which was to be paid by the PRTC within a period of

six months and on account of failure of the respondent to make the payment as per entitlement as aforesaid within the stipulated period of time, the instant petition has been filed.

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

5. Mr. Anupam Singla, Standing Counsel for the respondent, accepts notice and while relying upon order Annexure P-5 dated 24.08.2020 in COCP No.1633 of 2020 titled as Karnail Singh and others vs. Gurlovleen Singh Sidhu contends that order 22.04.20219, could not be complied with due to circumstances prevailing on account of Corona Virus pandemic but now he has specific instructions from the respondent to state that the monetary/financial benefits, as per entitlement, would be released to the petitioner in terms of order dated 22.04.2019, within six weeks from today.

6. 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 with directions to the respondent to adhere to the assurance made before this Court.

7. In view of the position noted above as well as statement of learned counsel for the parties, the Contempt Petition is disposed of as not calling for any orders against the respondent under the Contempt of Courts Act, 1971 while directing the respondent to adhere to the

assurance held out today through the learned Standing Counsel and to release the payment to the petitioners as per their entitlement in terms of decisions as referred to above within six weeks from today. 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. In the eventuality of an application for revival being moved by the petitioners, strict view of the matter would be taken.

(B.S. Walia)
Judge

17.08.2021

ps

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