

COCp-2413-2020

Date of Decision: 08.01.2021

Satpal Singh

...Petitioner

vs.

Anurag Aggarwal and another

...Respondents

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

Present: Mr. B.K. Mehta, Advocate for the petitioner.

Mr. Aditya Sharda, AAG, Punjab.

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 Section 12 of the Contempt of Courts Act, 1971, read with Article 215 of the Constitution of India is for punishing the respondents for intentionally and willfully disobeying order dated 27.11.2019, in CWP-34521-2019, in case titled as Satpal Singh vs. State of Haryana and another.

3. Learned counsel contends that vide order Annexure P/1, dated 27.11.2019, CWP-34521-2019 and other connected petitions were disposed of by directing the respondents to decide the respective legal notices served by the petitioners therein by passing a speaking order within three months from the date of receipt of certified copy of the order and in case the petitioners were found entitled to monetary benefits, to release the same to them within three months thereafter but despite lapse of the aforementioned period of time, needful has not been done.

4. Per contra, learned AAG, Punjab, contends that COCP-2189-

2020 and other connected cases filed for non-compliance of directions issued in CWP-33517-2019 and other connected matters (same point is in issue in the instant case) were disposed of in view of the stand of the respondents that needful could not be done due to circumstances prevailing on account of Corona Virus pandemic besides the case requiring fixation of seniority of approximately 900 members of service, therefore, minimum of three months more time being required to enable order dated 19.11.2019 in CWP-33517-2019, to be complied with and that in the circumstances, the Contempt Petitions were disposed of by directing the respondents to decide the claim of the petitioners within three months of 16.10.2020 with a further direction that in case the petitioners therein were found entitled to the benefits claimed, the same be released to them within three months thereafter.

5. Learned AAG, Punjab, further states that the matter is under process and some time would be required in deciding the claim on account of enormous nature of the task, therefore, the Contempt Petition be disposed of in the same terms as in COCP-2189-2020 and other connected cases.

6. Learned counsel for the petitioner states that he has no objection if the Contempt Petition is disposed of by directing the respondents to decide the claim of the petitioner along with the petitioners in COCP-2189-2020 and other connected cases.

7. Accordingly, in view of the statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage while directing the respondents to decide the claim made in the legal notice served by the petitioner along with the claim of the

the petitioner is found entitled to the benefits claimed, to release the same to him within three months thereafter. However, it is made clear that 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

08.01.2021.
'Rajesh-PS'

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