

Sandeep Kumar

...Petitioner

vs.

Krishan Kumar and another

...Respondents

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

Present : Mr. Sunny Singla, 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 pandemic Covid-19.
2. Prayer in the petition under Article 215 of the Constitution of India read with Section 12 of the Contempt of Courts Act, 1971, is for initiating proceedings against the respondents for intentional and willful disobedience of order Annexure P/1 dated 12.07.2019, in CWP No.18690 of 2019.
3. Learned counsel contends that vide order Annexure P/1 dated 12.07.2019, CWP No.18690 of 2019 was disposed of by directing the respondents to pass a speaking order on the claim made in legal notice dated 03.06.2019 in accordance with law within a period of three months from the date of receipt of certified copy of the order and in case the petitioners were found entitled to the benefits, to grant the same to them within two months thereafter but despite the supply of certified copy of the order as well as lapse of stipulated period of time, needful has not

been done, therefore, the instant petition was filed praying for initiation of proceedings against the respondents for intentional and willful defiance of order dated 12.07.2019 in CWP No.18690 of 2019.

4. Learned AAG, on the other hand states that the respondents have released the benefits to the petitioner as per his entitlement in terms of order Annexure P-3 dated 20.12.2019 and in view of the financial benefits having been released to the petitioner, the contempt petition has become infructuous and may be disposed of as such.

5 Learned counsel for the petitioner states that in view of the statement of learned AAG, Punjab of all financial benefits having been released to the petitioner by the respondents in terms of order Annexure P-3 dated 20.12.2019, he does not press the contempt petition and the same may be permitted to be withdrawn with liberty to move an application for revival of the contempt petition, if the circumstances of the case so warrant.

6. In view of the position as noted above as well as the statement of learned counsel for the petitioner, the Contempt Petition is dismissed as withdrawn with the liberty as prayed for.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

25.01.2021
'Rajesh-PS'

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