

[107] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.57 of 2020(O&M)
Date of Decision :01.08.2022

Virinder Singh (Retd.) Lecturer Economics
S/o Shri Rattan Singh ...Petitioner

versus

Sukhjeet Singh, Director of Public Instructions
(Secondary Education), Phase-8, Mohali &Anr.Respondents

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

Present : Mr. Varun Mittal, Advocate for the petitioner.
Mr. Aditya Sharda, Asstt. A.G., Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiation of proceedings against the respondents for intentional and willful defiance of order, Annexure P-3, dated 25.09.2018 in LPA No.6 of 2016 in CWP No.19901 of 2015.

[2] Learned counsel for the petitioner states that the grievance of the petitioner pertains to non-consideration of his case for grant of emoluments for the period he officiated / worked on the higher post.

[3] *Per contra*, learned Asstt. AG, Punjab, has produced copy of speaking order (Annexure R-1) dated 28.03.2022 in supersession of order (Annexure R-1) dated 22.03.2022 and states that the petitioner's claim for grant of emoluments for the period he officiated / worked on the higher post has been allowed, therefore, no action under the Contempt of Courts Act, 1971 is called for.

[4] Order dated 28.03.2022 passed by the Secretary to Government of Punjab, Department of School Education is taken on

record in supersession of order (Annexure R-1) dated 22.03.2022. Copy thereof is supplied to learned counsel for the petitioner, who states that in the circumstances, the petitioner is entitled to interest on the payment for the period he officiated / worked on the higher post and which benefit has been given to him.

[5] The claim of the petitioner is for grant of emoluments for the period he officiated / worked on the higher post. Directions of Hon'ble the Division Bench in LPA No.37 of 2017 in connected cases was also for consideration of the claim of the petitioner for grant of emoluments for the period he had officiated / worked on the higher post. There was no direction for payment of interest on said amount.

[6] Admittedly, the claim of the petitioner has been considered and he has been granted emoluments for the period he officiated / worked on the higher post. The orders of Hon'ble the Division Bench having been complied with, no further action is called for against the respondent under the Contempt of Courts Act, 1971. Contempt petition is accordingly disposed of as such. Petitioner if so advised may take out proceedings in accordance with law for seeking interest on account of delay in making of payment.

(B.S. Walia)
Judge

01.08.2022
'Rajneesh'

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