

Davinder Singh and Ors.

...Petitioners

Versus

Pardeep Aggarwal

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Harish Sharma, Advocate for the petitioners.
Mr. Ashok Kumar Bazaz, Advocate for respondent.

B.S. Walia, J. (Oral)

[1] 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 initiating action against the respondent for intentional and willful defiance of orders, Annexure P/1 dated 19.04.2010 in CWP No.18381 of 2003 and orders, Annexure P/3 dated 21.05.2014 in LPA No.1192 of 2010 and connected cases.

[2] A perusal of orders/judgment, Annexure P/1 dated 19.04.2010, reveals that CWP No.18381 of 2003 was allowed while directing the petitioners to refund the amounts that they had received from the Contributory Provident Fund with simple interest at the rate of 9% per annum on the respondents admitting the petitioners to the pension scheme and giving undertaking that they would make any contribution that the scheme stipulated as payable towards the employee's contribution and the amount as calculated by the respondents would be informed to the petitioners by giving a period not less than four weeks for making the payment and on such payment, the petitioners would be

the rate of 9% per annum.

[3] Learned Counsel contends that vide order, Annexure P/3, LPA No.1192 of 2010 was dismissed and the order of the writ Court was upheld.

[4] Learned Counsel for the respondents states that orders/judgment, Annexure P/1 dated 19.04.2010 in CWP No.18381 of 2003 has been complied and the petitioners have been released the financial benefits admissible to them in terms of the decision as referred to above along with interest @ 9% per annum, therefore, the instant petition may be disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971. Learned Counsel for the petitioners also states that in view of orders / judgment, Annexure P/1 dated 19.04.2010 in CWP No.18381 of 2003 having been complied with and the petitioners released financial benefits admissible to them in terms of the decision as referred to above along with interest @ 9% per annum, the petitioners are not interested in pursuing the instant petition and the same may be disposed of as such.

[5] I have considered the submissions of learned counsel.

[6] Admittedly, orders/ judgments dated 19.04.2010 in CWP No.18381 of 2003 has been complied with and the benefits as per entitlement in terms of the aforementioned decision have been released to the petitioners along with interest @ 9% per annum.

[7] In the light of the position as noted above as well as statement of learned counsel for the petitioners, the contempt petition is disposed of as not calling for any action against the respondent under the

COCP-3448-2014

[3]

Contempt of Courts Act, 1971.

[8]

Rule discharged.

09.03.2022

(B.S. Walia)
Judge

'Amit'

Whether speaking/ reasoned

:

Yes/No

Whether reportable

:

Yes/No