

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

COCP No.3590 of 2018 (O&M)

Date of Decision : 01.09.2022

Balbir Singh son of Shri Maggar Singh ...Petitioner

versus

Balbir Singh Saran, Managing Director,
Punjab State Power Corporation, Distt.
Patiala and othersRespondents

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

Present : Mr. Inderjit Sharma, Advocate for the petitioner.
Mr. Parminder Singh, Advocate for the respondents.

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-1, dated 07.05.2018, in CWP No.11374 of 2018 in case titled as '**Balbir Singh** versus **Punjab State Power Corporation and others**'.

[2] A perusal of order (Annexure P-1), reveals that CWP No.11374 of 2018, was disposed of by directing the respondents to consider the case of the petitioner as per claim made in the legal notice and to decide the same in accordance with law within three months from the date of receipt of certified copy of the order.

[3] At the outset, learned counsel for the respondents refers to para No.2 of the reply by way of affidavit of Shri Sucha Singh, Executive Engineer, PSPCL, Dhariwal, Tehsil and District Gurdaspur as per which in compliance of orders of the High Court (Annexure P-1), speaking order No.75 dated 05.03.2019 has been passed and gratuity paid to the petitioner

vide GPO No.115324/17-18 dated 11.10.2018, while revised pension with arrears has been paid vide PPO No.115222/17-18 dated 11.10.2018, besides other pensionary benefits i.e. GP Fund Rs.3,33,353/- has also been paid to the petitioner vide cheque No.471704 dated 12.06.2009 and leave encashment amounting to Rs.1,04,056/-has been paid vide cheque No.068582 dated 26.09.2008 vide office order No.540 dated 11.09.2008 passed by the Sr. Executive Engineer, PSPCL, Dhariwal, and contends that in the circumstances, no action is called for against the respondents under the Contempt of Courts Act, 1971.

[4] *Per contra*, learned counsel for the petitioner states that although payments of retiral benefits has been made yet full payment as per entitlement has not been paid, therefore, although he does not press the instant petition but prays for liberty to the petitioner to take out appropriate proceedings in accordance with law to seek balance payment as per entitlement along with interest on the delayed payments.

[5] In view of the position noted above, as well as statement of learned counsel for the petitioner, the instant petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971, while granting liberty to the petitioner, as prayed for.

(B.S. Walia)
Judge

01.09.2022

'Rajneesh'

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