

COCp-228-2020

Date of Decision : 20.09.2022

GURBACHAN SINGH

...Petitioner

Versus

SUKHCHAIN SINGH GILL AND ORS

....Respondents

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

Present : None for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.
Mr. Harmanjit Singh Jugait, Advocate for respondent
Nos.2 and 3.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P-1, dated 31.05.2019 in CWP No.15795 of 2019 in case titled as Gurbachan Singh vs. State of Punjab and Ors.

2. A perusal of order Annexure P-1 reveals that CWP No.15795 of 2019 was disposed of by directing the respondents to pass appropriate speaking order on the claim raised by the petitioner in the legal notice dated 20.03.2019 within three months from the date of receipt of certified copy of the order.

3. Notice has yet not been issued in the instant case. However, learned AAG has filed reply dated 04.08.2020 along with orders Annexure R/1 to R/5. The reply is taken on record.

4. Learned AAG refers to Annexure R/4 i.e. communication from the Assistant Controller (F&A), office of Commissioner of Police, Amritsar City to the Accountant General (A&E), Punjab Chandigarh dated 09.03.2020 forwarding the papers for transfer of family pension of

deceased Karamjit Singh in the name of his father Sh. Gurbachan Singh (petitioner herein) as also Annexure R/5 dated 11.05.2020 i.e. the letter addressed to the District Treasury Officer, Amritsar by the Senior Accounts Officer, office of the Accountant General (A&E), Punjab and UT, Chandigarh that Smt. Sandeep Kaur wife of late Sh. Karamjit Singh who was earlier drawing family pension from Ferozepur Treasury against PPO No.53104/S/PB had got remarried on 11.02.2021 and that in the circumstances, Sh. Gurbachan Singh, father of late Sh. Karamjit Singh was entitled for family pension in terms of the judgment of the Court, therefore, family pension @ of Rs.4050/- be transferred/paid to Sh. Gurbachan Singh w.e.f. 27.10.2017. Learned State Counsel further states that family pension is now being paid to Sh. Gurbachan Singh.

5. Learned AAG states that the aforementioned reply along with Annexures R/1 to R/5 has already been supplied to learned counsel for the petitioner. However, none is present on behalf of the petitioner. Accordingly, in the light of the position noted above, no useful purpose would be served by adjourning the case.

6. In view of the position noted above i.e. needful having been done and the family pension payable transferred in the name of the petitioner and the petitioner being paid family pension in terms thereof, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

7. Contempt petition is disposed of accordingly.

(B.S. Walia)
Judge

20.09.2022