

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

COCN No.280 of 2020
Date of Decision :17.11.2022

Parkash Singh ...Petitioner

versus

Virender Singh Dahiya, Director
General, Transport, HaryanaRespondent

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

Present : Mr. Surender Lamba, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiation of proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 29.08.2019, in CWP No.23124 of 2019 in case titled as '**Parkash Singh** versus **State of Haryana and others**'.

[2] A perusal of order (Annexure P-1) reveals that CWP No.23124 of 2019 was disposed of by directing the respondent to decide the claim of the petitioner as contained in legal notice dated 02.05.2019 with regard to promotion to the post of Sub Inspector from the date of his eligibility after 16.03.2011. It was further ordered that if the representation was not decided within two months from the date of receipt of certified copy of the order, costs of Rs.25,000/- be paid by the concerned officer to the petitioner.

[3] At the outset, learned counsel for the petitioner states that the representation was decided beyond the period of two months and although payment of costs of Rs.25,000/- was not made to the petitioner, yet a

Petitioner by deception, therefore the respondent be directed to make payment of costs to the petitioner in terms of order of the High Court.

[4] I have considered the submission of learned counsel. On query, learned counsel concedes that no complaint was ever made by the petitioner against the alleged deception. Accordingly, once receipt has been given by the petitioner, it is for the petitioner to establish that the receipt was not issued by him on being paid costs but was obtained from him by deception. In the circumstances, no action is called for against the respondent under the Contempt of Courts Act, 1971. However, in view of request made, liberty is granted to the petitioner to take out appropriate proceedings in accordance with law with regard to his allegation that costs of Rs.25,000/- were not paid to him but receipt was obtained from him by deception.

[5] Contempt petition is accordingly *disposed of*.

(B.S. Walia)
Judge

17.11.2022

'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>