

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

COCN No.127 of 2022

Date of Decision : 04.04.2022

M/s A.R. Builders

...Petitioner

Versus

Ms. Jaspreet Kaur Talwar, IAS, Principal Secretary
to Govt. of Punjab, Chandigarh and others

....Respondents

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

Present : Mr. Rajesh Kumar Girdhar, Advocate for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition is for initiating action against the respondents for intentional and willful defiance of order (Annexure P-1) dated 03.12.2020 in CWP No.1846 of 2020.

[2] A perusal of order (Annexure P-1) dated 03.12.2020 reveals that CWP No.1846 of 2020 was disposed of by directing the competent authority to look into the grievance of the petitioner as per representation dated 01.01.2019 filed by the petitioner and also by keeping in view the contentions raised in the petition and by treating the same as supplementary representation and to decide the same by passing a speaking order in accordance with law within 02 months from 03.12.2020 and in case the petitioner was found entitled to the payment claimed, to release the same to the petitioner within 02 months from the date of passing of the speaking order.

[3] Pursuant to notice issued to respondent No.5 to show cause

as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him, learned AAG, Punjab, has produced copy of order dated 28.03.2022, holding the petitioner entitled to release of sum of Rs.10,57,590/- as claimed in representation dated 01.01.2019. Order dated 28.03.2022 is taken on record. Copy thereof supplied to learned counsel for the petitioner.

[4] Learned AAG, Punjab, on instructions from *Shri Jaswinder Singh, Executive Engineer, Division No.1, Sri Muktsar Sahib, Punjab*, states that payment as per entitlement determined vide order dated 28.03.2022 would be released to the petitioner within 02 months from today.

[5] Learned counsel for the petitioner states that in the circumstances, the petitioner does not press the instant petition but directions be issued to respondent No.5 to release the payment as per assurance held out through the learned AAG, Punjab within period of time as deemed appropriate by this Court, as also to grant liberty to the petitioner to take out appropriate proceedings in accordance with law to claim interest on the delayed release of payment.

[6] The same is not opposed to by the learned State Counsel.

[7] Accordingly, in view of the position noted above, the instant petition is *disposed of* as not calling for any action against respondent No.5 under the Contempt of Courts Act, 1971, while directing respondent No.5 to adhere to the assurance held out on his behalf by the learned

entitlement determined in terms of order dated 28.03.2022 within 02 months from today while granting liberty to the petitioner, as prayed for.

[8] *Rule discharged.*

(B.S. Walia)
Judge

04.04.2022
'Rajneesh'

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