

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

COCP No.124 of 2022

Date of Decision : 04.04.2022

Ashok Kumar Contractor

...Petitioner

Versus

Ms. Jaspreet Kaur Talwar IAS, Principal Secretary
to Govt. of Punjab, Department of Water Supply
& Sanitation, 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 03.11.2020 in CWP No.18308 of 2020.

[2] Perusal of order (Annexure P-1) dated 03.11.2020 reveals that CWP No.18308 of 2020 was disposed of by directing the respondents to look into representation dated 22.08.2020 filed by the petitioner and to decide the same by passing a speaking order in accordance with law within 04 weeks from the date of receipt of certified copy of the order and in case any amount was found due, to release the same to the petitioner forthwith.

[3] Pursuant to notice issued to respondent No.4 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 25.02.2022, holding the petitioner entitled to release of sum of Rs.16,68,537/- as claimed in representation dated 22.08.2020. Order

counsel for the petitioner.

[4] Learned AAG, Punjab, on instructions from *Shri Amit Kumar, Executive Engineer, Division Malout, Punjab*, states that the payment as per entitlement determined vide order dated 25.02.2022 would be released to the petitioner within 06 weeks 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.4 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.4 under the Contempt of Courts Act, 1971, while directing respondent No.4 to adhere to the assurance held out on his behalf by the learned State Counsel and to release payment to the petitioner as per entitlement determined in terms of order dated 25.02.2022 within 06 weeks 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