

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

COCP No.476 of 2020 (O&M)

Date of Decision : 04.08.2022

Mohal Lal, Lib. Restorer (Retd.) son of  
Shri Nanak Chand, Govt. Senior Secondary  
School, Gaggo Mahal, District Amritsar. ...Petitioner

versus

Krishan Kumar, IAS, Principal Secretary to  
Govt. of Punjab, Deptt. of Education, Punjab  
and another. ....Respondents

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

Present : Mr. S.B. Nagpal, Advocate for the petitioner.  
Mr. Aditya Sharda, Asstt. A.G., Punjab.

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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-2, dated 17.07.2019, in CWP No.19173 of 2019 in case titled as '**Mohan Lal versus State of Punjab and another.**'

[2] A perusal of order (Annexure P-2), reveals that CWP No.19173 of 2019, was disposed of by directing the respondents to decide legal notice dated 27.04.2019 by passing a speaking order within three months from the date of receipt of certified copy of the order.

[3] Learned Asstt. AG, Punjab, refers to speaking order (Annexure R-1) dated 15.10.2020 attached along the reply dated 10.02.2022, to contend that the claim of the petitioner as made in legal notice dated 27.04.2019 was considered and rejected vide speaking order (Annexure R-1) dated 15.10.2020 and that in the circumstances, orders of

Hon'ble the High Court (Annexure P-2) dated 17.07.2019 in CWP No.19173 of 2019 have been complied with, therefore, no action is called for against the respondents under the Contempt of Courts Act, 1971.

[4] I have considered the submission of learned counsel.

[5] Admittedly, vide order (Annexure P-2) dated 17.07.2019, CWP No.19173 of 2019 was disposed of by directing the respondents to decide legal notice dated 27.04.2019 by passing a speaking order within three months from the date of receipt of certified copy of the order. Needful has been done vide speaking order (Annexure R-1) dated 15.10.2020 and the claim of the petitioner as contained in legal notice dated 27.04.2019 has been rejected. In the circumstances, no action is called for against the respondents under the Contempt of Courts Act, 1971.

[6] Contempt petition is accordingly *disposed of* as such, while granting liberty to the petitioner to challenge order (Annexure R-1) dated 15.10.2020 by way of appropriate proceedings, in accordance with law.

**(B.S. Walia)**  
**Judge**

04.08.2022

'Rajneesh'

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