

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

COCF No.664 of 2020(O&M)

Date of Decision :16.09.2022

Lakhwinder Singh, SLA (Retd.) ...Petitioner

versus

Krishan Kumar, IAS, Principal Secretary to
Govt. of Punjab, Department of Education,
Punjab, Chandigarh and anotherRespondents

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

Present : None for the petitioner.
Mr. Ayush Sarna, Asstt. AG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in thepetition is for initiation of proceedings against the respondents for intentional and willful defiance of order, Annexure P-2, dated 25.09.2019, in CWP No.27508 of 2019 in case titled as '**Lakhwinder Singh, Senior Lab Attendant (Retd.) versusState of Punjab and another.**'

[2] A perusal of order (Annexure P-2) reveals that CWP No.27508 of 2019 was disposed of vide order dated 25.09.2019, by directing the respondents to consider and decide the legal notice dated 10.06.2019 served by the petitioner 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 Annexure R-1 dated 07.10.2020 attached along with reply dated 01.12.2020, copy of which he states has already been supplied to learned counsel for the petitioner as per which, the claim of the petitioner as contained in legal notice dated 10.06.2019 has been considered and rejected.

[4] Learned Asstt. AG, Punjab, states that orders of Hon'ble the

High Court (Annexure P-2) dated 25.09.2019, in CWP No.27508 of 2019 having been complied with, no action is called for against the respondents under the Contempt of Courts Act, 1971.

[5] None is present on behalf of the petitioner.

[6] I have considered the submission of learned Asstt. AG, Punjab.

[7] Admittedly, directions in Annexure P-2 dated 25.09.2019 in CWP No.27508 of 2019 were to decide the legal notice dated 10.06.2019 by passing a speaking order within three months from the date of receipt of certified copy of the order.

[8] Legal notice dated 10.06.2019 has been decided by respondent No.2 on 07.10.2020 and the claim of the petitioner as contained in said legal notice dated 10.06.2019 has been rejected. In the circumstances, no useful purpose would be served by keeping the petition pending. Accordingly, in the light of the position noted above, the instant petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971, while granting liberty to the petitioner to challenge order (Annexure R-1) dated 07.10.2020 by way of appropriate proceedings, in accordance with law, if so advised.

(B.S. Walia)
Judge

16.09.2022

'Rajneesh'

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