

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

COCN No.890 of 2020
Date of Decision :29.08.2022

Baljeet Singh ...Petitioner

versus

Isha Kamboj, Secretary, HSSC, PanchkulaRespondent

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 thepetition is for initiation of proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 09.09.2019, in CWP No.20744 of 2019 in case titled as '**Baljeet SinghversusState of Haryana and another**'.

[2] A perusal of order (Annexure P-1), reveals that CWP No.20744 of 2019, was disposed of by directing the respondent to decide representation dated 06.03.2019 by passing a well reasonedand speaking order within two months from the date of receipt of certified copy of the order and in case, the representation was not decided within the aforementioned period of time, costs of Rs.25,000/- were to be paid by the concerned officer.

[3] Although, notice has yet not been issued in the instant case, learned DAG, Haryana, has filed copy of order dated 12/13.11.2020, rejecting the claim of the petitioner and states that in the circumstances, no further action is called for against the respondent under the Contempt of Courts Act, 1971 and the same may be disposed of accordingly.

[5] *Per contra*, learned counsel for the petitioner states that in

view of the order having been decided beyond the stipulated period of time as given in Annexure P-1, the respondent is liable to pay costs of Rs.25,000/-.

[6] I have considered the submission of learned counsel for the parties.

[7] Admittedly, vide order (Annexure P-1) dated 09.09.2019, representation was to be decided within 02 months from the date of receipt of certified copy of order dated 09.09.2019, failing which costs of Rs.25,000/- were to be paid by the concerned officer to the petitioner.

[8] Order in compliance of Annexure (P-1) dated 09.09.2019 has been passed only on 12/13.11.2020 i.e. much beyond the period of time stipulated in Annexure P-1, therefore, the respondent is liable to pay costs of Rs.25,000/- to the petitioner.

[9] Accordingly, in the circumstances, while disposing of the contempt petition as not calling for any action against the respondent under the Contempt of Courts Act, 1971, the respondent is directed to make payment of Rs.25,000/- in terms of order (Annexure P-1) dated 09.09.2019 to the petitioner by way of demand draft in the name of the petitioner to be sent by registered post within 02 weeks from today. In case, the payment as aforesaid is not received by the petitioner within 04 weeks from today, the petitioner would be at liberty to move an application for revival of the contempt petition.

(B.S. Walia)
Judge

29.08.2022

'Rajneesh'