

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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COCP-1040-2022

Date of decision : 21.07.2022

Tarun Kumar

...Petitioner

Versus

Ajit Balaji Joshi, Chief Administrator, HSVP

....Respondent

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Samrat Malik, Advocate,
for the petitioner.

Mr. Somnath Saini, Advocate for
Mr. Arvind Seth, Advocate
for the respondent

ANIL KSHETARPAL, J. (ORAL)

Complaining wilful disobedience of the directions issued on 12.02.2020, the petitioner has filed the present petition under Section 11 and 12 of the Contempt of Courts Act, 1971. The operative part of the judgment reads as under :-

“Accordingly in the light of the position as noted above, the writ petition is allowed. Impugned order Annexure P/3 dated 31.10.2014 is quashed. Petitioner is held entitled to reinstatement with continuity of service and all consequential benefits.”

Reply to the petition has been filed wherein it has been stated that the petitioner has been reinstated and granted consequential benefits with the continuity of service.

Learned counsel representing the petitioner contends that the respondents have failed to calculate the entire consequential benefits.

In the opinion of the Court, the aforesaid fact comes into the sphere of interpretation. The interpretation may differ from person to person. Interpretation is the basis of any opinion formed, depending on facts and circumstances of each and every case. The Court is expected to use the enabling power under the Contempt of Court Act sparingly. Every small infringement does not give rise to contempt of the Court.

Keeping in view the aforesaid facts, the petition is disposed of with liberty to the petitioner to resort to the available alternative remedy.

21.07.2022
anju

(ANIL KSHETARPAL)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No