

LALIT KUMAR AND ANOTHER

....Petitioners

Versus

SANJAY KUMAR IAS, THE SECRETARY
TO GOVT OF PUNJAB AND ORS

....Respondents

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

Present : Mr. Manu K. Bhandari, Advocate for the petitioners.

Mr. D.V. Sharma, Sr. Advocate assisted by
Mr. Tushar Sharma, Advocate for respondents.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/5, dated 01.11.2018, in CWP No.11513 of 2014.

[2] A perusal of order Annexure P/5 reveals that CWP No.11513 of 2014 was allowed and the respondents directed to regularize the services of the petitioners in view of the applicable instructions after treating them as daily wagers within two months from the date of receipt of certified copy of the judgment with arrears of pay etc. as admissible to the petitioners on regularization to be released to them for a period of 38 months prior to the filing of the writ petition.

[3] At the outset learned counsel for the petitioners states that although benefits /payment has been released to the petitioners pursuant to order, Annexure P/5 dated 01.11.2018 in CWP No.11513 of 2014, yet payment as per entitlement has not been released, therefore although the

petitioners do not press the instant petition, yet pray for liberty to file representation before the respondents to claim full payment as per entitlement and directions being issued to the respondents to consider and decide the representation on the basis of record by passing a speaking order in a time bound manner.

[4] The aforesaid course of action is not opposed to by the learned counsel for the respondents.

[5] Accordingly, in the light of the position noted above as well as statement of learned counsel for the petitioners, 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 petitioners as prayed for.

[6] Needless to mention in case any such representation is received from the petitioners within two weeks from the date of receipt of certified copy of the order, respondent No.2 would consider and decide the same in accordance with record and rules and regulations as are applicable as expeditiously as possible but positively within 08 weeks thereafter and furnish copy of the speaking order to the petitioners within 02 weeks thereafter by registered post.

[7] *Rule discharged.*

(B.S. Walia)
Judge

01.09.2022
'Amit'

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