

COCP-1422-2022 (O&M)

Date of Decision : 04.08.2022

Balbir Singh

...Petitioner

versus

Ishwar Dass Goyal

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Shashi Kumar Rattan, Advocate for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P-6, dated 25.03.2022, in CWP-6148-2022.

2. A perusal of order Annexure P-6 dated 25.03.2022, reveals that CWP-6148-2022 was disposed of by directing the respondent-Chief Engineer (Canals), Deptt. of Irrigation works/Water Resources Department, Punjab to decide the claim made in legal notice dated 12.11.2021 by passing appropriate speaking order within 8 weeks from the date of receipt of certified copy of the order.

3. Notice has not been issued in this case. However, learned counsel for the petitioner states that copy of speaking order dated 13.07.2022 has been supplied to him accepting part of the claim.

Operative part of the order is reproduced as under:

“Whereas in compliance with the aforesaid judgment/order, the pay of the petitioner was refixed after restoring 07 No. retrenched and 4 no. special increments vide Executive Engineer, Field Mechanical & Workshop Division,

RSD Shahpurkanditownship endstt, no. 664-66/PF dated 08.02.2019. the regular pension of the petitioner has also been revised by the office of Accountant General, Punjab, Chandigarh vide No.PEN7/B12/0506-129-31 dated 25.04.2022 raising his basic pay of regular pension from Rs.2752/- to Rs.3150/-.

In view of the aforesaid facts and circumstances, the claim of the petitioner has been considered and rejected as the special as well as retrenchee increments has been restored and the regular pension of the petitioner has also been revised.”

4. Learned counsel for the petitioner states that in the circumstances, he does not press the instant petition and may be permitted to withdraw the same with liberty to challenge speaking order dated 13.07.2022 to the extent the same is against the interest of the petitioner.

5. The same is not opposed to by the learned AAG, Punjab.

6. In view of the position noted above, as well as statement of learned counsel for the petitioner, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971, while granting liberty to the petitioner as prayed for.

(B.S. Walia)
Judge

04.08.2022

ps

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