

COCp-1788-2021 (O&M)

Date of Decision :21.03.2022

Ram Chand

...Petitioner

Versus

Vijay Kumar Janjua and another

....Respondents

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

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondents for intentional and willful defiance of order, Annexure P/1 dated 13.01.2020 in CWP No.11567 of 1999 in case titled as Ram Chand vs. State of Punjab.

[2] A perusal of order, Annexure P/1 dated 13.01.2020 reveals that CWP No.11567 of 1999 was allowed, order dated 19.07.1999 challenged in the said writ petition was quashed and the petitioner was held entitled to grant of consequential benefits within four months from the date of receipt of certified copy of the order.

[3] Learned counsel for the petitioner contends that the certified copy of the order was furnished to the respondents on 07.02.2020 but consequential benefits were released to the petitioner only after a lapse of period ranging from nine months to one year five months, besides, the promotion claimed by the petitioner has also been denied vide order, Annexure R/1 dated 29.10.2021. Learned counsel contends that in the circumstances, the petitioner is not interested in pursuing the contempt

petition and the same may be disposed of as such while granting liberty to the petitioner to take out appropriate proceedings to challenge order, Annexure R/1 dated 29.10.2021 as well as seek payment of interest on the delayed payment of dues.

[4] Learned AAG on the other hand contends that the petitioner has been released consequential benefits as per entitlement, therefore, the petition be disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971.

[5] I have considered the submissions of learned counsel.

[6] Admittedly, order dated 13.01.2020 in CWP No. 11567 of 1999 has been complied with and consequential benefits released to the petitioner though beyond the stipulated period of time while the claim for promotion has been rejected vide order, Annexure R/1 dated 29.10.2021.

[7] Accordingly, in the light of the position noted above as well as statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

[8] The contempt petition is accordingly disposed of as such while granting liberty to the petitioner to take out appropriate proceedings in accordance with law to challenge order, Annexure R/1 dated 29.10.2021 as well as to seek interest on the delayed payment of dues.

[9] Rule discharged.

(B.S. Walia)
Judge

21.03.2022
'Amit'

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