

COCp-1544-2022

Date of Decision : 02.09.2022

Sunil Chawla

...Petitioner

Versus

Amandeep Brar and Anr.

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. R.K. Girdhar, Advocate for the petitioner.
Mr. Mohit Kapoor, Addl. A.G., Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiation of proceedings against the respondents for intentional and willful defiance of order, Annexure P/1, dated 30.03.2022 in CWP No.6591 of 2022 in case titled as Sunil Chawla vs. State of Punjab and others.

[2] A perusal of order, Annexure P/1 reveals that CWP No.6591 of 2022 was disposed of by directing respondent No.2 herein to take note of representation including legal notice dated 28.02.2022 served by the petitioner and pass appropriate orders in respect thereto in accordance with law preferably within one month from the date of receipt of certified copy of the order and in case the petitioner was found entitled, to release payment to the petitioner forthwith and if there was delay in disbursing the payment, the same would result in imposition of interest @6% per annum for the delayed payment from the date of accrual till date of realization.

[3] Pursuant to notice issued to respondent No.2, learned Addl. A.G. has filed copy of order dated 28.07.2022 holding the petitioner entitled to the payment as mentioned therein with payment to be made on receipt of

funds from the competent authority as per the orders of the Hon'ble Punjab and Haryana High Court, Chandigarh. Order dated 28.07.2022 is taken on record. Copy thereof supplied to learned counsel for the petitioner who on perusal of the same states that in the circumstances, he does not press the instant petition and may be permitted to withdraw the same by directing the respondents to release payment to the petitioner as per entitlement determined in order dated 28.07.2022 at the earliest.

[4] Accordingly in the light of the position noted above as well as the statement of learned counsel for the petitioner, the instant petition is disposed of as not calling for any action against respondent No.2 under the Contempt of Courts Act, 1971. However, respondents are directed to take steps to ensure release of payment to the petitioner at the earliest. Since bills pertain to work done during the year 2011-12 upto the year 2015 in respect of which the bills which were passed in the year 2018, payment be released to the petitioner as per his entitlement at the earliest in order to avoid accrual of further interest in terms of order Annexure P/1 dated 30.03.2022. In case the payment is not released to the petitioner within three months from today, the liability for payment of interest @ 6% per annum in terms of order, Annexure P/1 shall be borne by the officer responsible for not releasing the payment within the stipulated period of time.

[5] Contempt petition disposed of as above.

[6] Rule discharged.

(B.S. Walia)
Judge

02.09.2022

'Amit'

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