

COCP-2373-2021

Date of Decision : 25.01.2022

Krishan Kumar and others

...Petitioners

Versus

Mahavir Singh and others

....Respondents

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

Present : Mr. S.K.Malik, Advocate for the petitioners.

Mr. Tapan Kumar, DAG, Haryana.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Prayer in the petition under Sections 11 and 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 07.07.2021 in CWP-11949-2021.

[3] Learned counsel contends that vide order Annexure P/1 dated 07.07.2021, CWP-11949-2021 was disposed of by directing respondent No.1 to take a decision on the legal notice Annexure P-7 dated 16.05.2021 within four weeks from the date of receipt of certified copy of the order and in case the petitioners were held entitled for the relief sought, to make payment in respect thereto immediately thereafter.

[4] Learned DAG, Haryana, has placed on record communication Annexure R-1 from the Director School Education, Haryana to the Advocate General, Haryana bearing Memo No.13/24/21 PGT-II (7) dated 05.01.2022 releasing payment in favour of all the

32 petitioners on account of LTC for the block year 2016-2019 and recording therein that nothing remaining to be paid to them as per Annexure R-1.

[5] The aforementioned communication as well as Annexure R-1 are taken on record and copy thereof supplied to learned counsel for the petitioners, who on perusal thereof states that in the circumstances, the petitioners are not interested in pursuing the contempt petition and the same may be disposed of as such.

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

[7] Admittedly, notice has not been issued in the instant petition. However, in view of compliance of order Annexure P-1 dated 07.07.2021 in CWP-11949-2021 and release of payment on account of Leave Travel Concession to all 32 petitioners in terms of claim made in legal notice dated 16.05.2021 as per details given in Annexure R-1 to the communication dated 05.01.2022 from the Director, School Education, Haryana to the Advocate General, Haryana as well as statement of learned counsel for the petitioners, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

[8] Accordingly, the contempt petition is disposed of as such.

(B.S. Walia)
Judge

25.01.2022

ps

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