

COCP-2978-2019

Date of Decision :05.07.2022

Raja Chatterjee and Ors.

...Petitioners

versus

M S Nijjerand anr.

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Ranjivan Singh, Advocate with
Ms. Kanika Toor, Advocate for the petitioners.

Mr. Vishal Khatri, Advocate for respondents.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating action against the respondents for intentional and willful defiance of order, Annexure P/1 dated 27.07.2018 in CWP No.10959 of 2016 in case titled as Raja Chatterjee and others vs. State of Punjab and others.

[2] A perusal of order, Annexure P/1 reveals that CWP No.10959 of 2016 was disposed of by directing the respondents to consider the case of the petitioners and on consideration, if the competent authority found that the case of the petitioners was covered by the ratio of law laid down in ***CWP No.2371 of 2010 in case titled as Harbans Lal vs. State of Punjab and others, decided on 31.08.2010; CWP No.26345 of 2017 in case titled as Harnek Singh and others vs. Punjabi University, Patiala decided on 17.11.2017 and Subhash Chand and others vs. Punjabi University and others decided on 21.04.2018*** to pass consequential order within six weeks thereafter and in case the competent authority was of the view that the

petitioners were not entitled to the relief claimed then to pass a speaking order.

[3] Learned counsel for the respondents states that needful has been done and benefits as per entitlement released to the petitioners vide order dated 11.09.2018. The same is taken on record. Copy thereof supplied to learned counsel for the petitioners who on perusal thereof states that payment as per entitlement has been released to the petitioners but no interest has been paid on the same.

[4] Learned counsel for the petitioners states that in the circumstances, the petitioners are not interested in pursuing the contempt petition and may be permitted to withdraw the same with liberty to take out appropriate proceedings in accordance with law to claim interest on the payments which were released after a substantial period of time.

[5] In view 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] Rule discharged.

(B.S. Walia)
Judge

05.07.2022

'Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>