

Anil Sandhir

...Petitioner

vs.

Ajoy Sharma

...Respondent

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

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

1. Learned Counsel for the petitioner, refers to order dated 18.08.2010 in CWP-14234-2009 directing that in future as and when the petitioner presented medical bills for treatment, the same be directed to be dealt with as per law within two months, failing which the Court would consider inaction on the part of the dealing official/officer as an act of willful disobedience of directions of this Court, amenable to action under the Contempt of Courts Act, 1971.

2. Learned Counsel contends that the instant petition was filed on account of failure of the respondents to do the needful.

3. Learned AAG on the other hand contends that despite the prevalence of the pandemic in the country from March, 2020, leading to lockdowns, inability of the administration to work at full strength, strain on the medical system on account of pressing and urgent need for treatment of patients infected with corona virus, 11 out of 19 medical bills have been reimbursed, 7 have been cleared for payment and sent to the

Treasury for making payment with only one bill pending sanction which would also be cleared soon. Learned AAG further contends that the respondent holds the orders of the Courts in the highest esteem and can never think of disobeying any order or direction nor has any intention to show disrespect or dishonor to this Court and the delay in expediting and implementing the order is un-intentional and bonafide. Learned AAG submits that as apparent, the medical system in the country was under immense pressure during the aforementioned period, therefore, there was no willful and intentional defiance of order nor were the orders of the writ court brought to the notice of the Civil Surgeon by whom the bills were to be processed and cleared, therefore no action under the Contempt of Courts Act, 1971 is called for against the respondent.

4. In the light of the aforementioned position, learned counsel for the petitioner states that he does not press the instant petition and would be satisfied if the same is disposed of while directing the 19th medical bill to be processed as per rules and payment released to the petitioner within time limit to be stipulated by this Court.

5. Accordingly, in the light 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 directing the respondent to ensure that the 19th medical bill submitted by the petitioner is processed as per rules within two weeks from today and in case any amount is found due to the petitioner thereunder, to release the same to the petitioner within two weeks thereafter.

6. Contempt petition disposed of in the light of directions as above.

7. All pending CMs stand disposed of.

(B.S. Walia)
Judge

15.03.2022
ps

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