

Mukhtiar Singh

...Petitioner

vs.

KAP Sinha (IAS) Principal Secretary to Government of Punjab and others

...Respondents

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

Present: Mr. Gaurav Vir Singh Behl, Advocate for
Mr. S.S. Behl, Advocate for the petitioner.

Mr. Aditya Sharda, AAG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order Annexure P/1 dated 25.08.2021, in CWP-16460-2021.

2. A perusal of order Annexure P/1 dated 25.08.2021, reveals that CWP-16460-2021, was disposed of by directing the respondent to consider legal notice dated 14.03.2021, as a representation and to decide the same in accordance with law by passing a speaking order preferably within one month from the date of receipt of certified copy of the order and in case there was no impediment for the release of payment, to release the same to the petitioner as per law without any delay.

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

4. On the last date, learned AAG, Punjab, had sought time to obtain instructions in the matter. Today, learned AAG, Punjab, has produced

order dated 16.11.2021 passed by respondent No.3, accepting the claim of the petitioner as made in legal notice dated 14.03.2021. Learned AAG further states that the file has been sent to the office of the Accountant General, Punjab, for sanction of payment due to the petitioner and that payment would be released to the petitioner on receipt of sanction from the office of the Accountant General, Punjab. Learned AAG states that in the circumstances, the petition be disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971. Order dated 16.11.2021, is taken on record and copy thereof supplied to learned counsel for the petitioner, who states that in the circumstances, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such while directing respondent No.3 to ensure release of payment to the petitioner in terms of order dated 16.11.2021, immediately on receipt of sanction from the office of the Accountant General.

5. I have considered the submissions of learned counsel.

6. Notice has not yet been issued in the instant case. In the light of position noted above, as also statement of learned counsel for the petitioner, I am of the considered view that no action under the Contempt of Courts Act, 1971 is called for against the respondents. Accordingly, the contempt petition is disposed of as such while directing respondent No.3 to ensure release of payment due to the petitioner as per his entitlement in terms of order dated 16.11.2021 as expeditiously as possible on receipt of sanction from the office of the Accountant General, Punjab.

(B.S. Walia)
Judge

21.02.2022

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COCP-2678-2021

BALWANT SINGH

V/S

A. VENU PRASAD, CHAIRMAN CUM MD AND ORS.

Present : None for the petitioner.

Adjournment slip has been circulated by learned counsel for
the petitioner

In the interest of justice, adjourned to 23.03.2022.

(B.S. Walia)
Judge

21.02.2022

rajesh