

142 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

COCN-2509-2022  
Date of Decision :30.11.2022

HARBANS ...Petitioner

versus

PSPCL AND ANOTHER ....Respondents

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

Present : Mr. M.S. Rana, Advocate for the petitioner.

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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/2, dated 18.12.2014 in CWP No.25956 of 2014 in case titled as Baghel Singh and others vs. State of Punjab and others.

[2] Learned counsel for the petitioner contends that despite judgment dated 18.12.2014 (Annexure P/2) in CWP No.25956 of 2014, needful has not been done in terms thereof till date even though order of stay dated 09.03.2015 in LPA filed by the State was vacated on dismissal of LPA No. 1991 of 2014 on 29.07.2019, therefore, respondent No.1 is liable to be punished under the Contempt of Courts Act, 1971 besides the petitioner who is an octogenarian entitled to award of exemplary costs.

[3] Issue notice to respondent No.1 to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him, besides costs as prayed for be not awarded in favour of the petitioner.

of respondent No. 1 and filed her Vakalatnama and states that operation of the judgment and order of Hon'ble the Division Bench in LPA No.1991 of 2014 has been stayed by Hon'ble the Supreme Court in SLP (C) Diary No.45053 of 2019 on 24.01.2020 and the said order is continuing in force even as on date, resultantly interim order dated 09.03.2015 passed by Hon'ble the Division Bench stand revived.

[5] Order of Hon'ble the Supreme Court dated 24.01.2020 is taken on record. Copy thereof supplied to learned counsel for the petitioner who states that in the circumstances, he does not press the instant petition but prays for grant of liberty to move an application for revival of the instant petition in the eventuality of vacation of stay granted by Hon'ble the Supreme Court or dismissal of SLP whichever is earlier.

[6] In view 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 the respondents under the Contempt of Courts Act, 1971 at this stage while granting liberty to the petitioner as prayed for.

**(B.S. Walia)**  
**Judge**

30.11.2022  
'Amit'

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