

COCp-2580-2022 (O&M)

Date of Decision :02.12.2022

Gurinderjit Singh

...Petitioner

Versus

Jaspreet Talwar and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent: Mr. Harpal Singh Sirohi, Advocate
for the petitioner.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiation of proceedings against the respondents for intentional and willful defiance of order Annexure P/1 dated 20.05.2022, in CWP-10876-2022.

2. A perusal of order Annexure P/1 reveals that while issuing notice of motion in CWP-10876-2022, operation of the impugned order was stayed.

3. Learned counsel contends that despite stay of operation of order of compulsory retirement no salary was paid to the petitioner, despite work being taken from the petitioner, therefore, the respondents are liable to be punished under the Contempt of Courts Act, 1971.

4. Issue notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against them.

5. Mr. Ayush Sarna, AAG, Punjab, accepts notice on behalf of the respondents and has produced copy of pay order as per which salary of the petitioner for the period 15.06.2022 to 31.10.2022 has been deposited in his

saving bank account of the petitioner on 24.11.2022. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal thereof states that in the circumstances, he does not press the instant petition but the prays for directions to the respondents to ensure compliance with order Annexure P/1 during the pendency of the writ petition.

6. Learned State counsel on instructions from Mr. Shashi Garg, Law Officer states that order Annexure P/1 would be complied with in letter and spirit during the pendency of the writ petition and salary for the month of November, 2022 and forthcoming months would be deposited in the account of the petitioner on the due date.

7. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the instant petition but prays for issuance of directions to the respondents to adhere to the assurance held out by them through the learned State counsel.

8. In view of the position noted above as well as statement of learned counsel for the parties, the instant petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971, while directing the respondents to ensure adherence to the undertaking given on their behalf by the learned State counsel and to deposit the salary of the petitioner for the month of November, 2022 and forthcoming months, in his saving bank account, on the due date.

9. Rule discharged.

(B.S. Walia)
Judge

02.12.2022

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