

COCp-4194-2019

Date of Decision :29.03.2022

Parmjot Kaur

...Petitioner

Versus

M.S. Nijjar, Registrar and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Ranjivan Singh, Advocate for the petitioner.
Mr. Ajaivir Singh, Advocate for the respondents.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating action against the respondents for intentional and willful defiance of judgment, Annexure P/1 dated 29.04.2019 in CWP No.11002 of 2019 in case titled as Parmjot Kaur vs. Punjabi University and another.

[2] A perusal of order, Annexure P/1 dated 29.04.2019 reveals that CWP No. 11002 of 2019 was disposed of with a direction to the Punjabi University, Patiala to pass appropriate orders on the claim of the petitioner(s) for grant of benefit of daily wage service while computing qualifying service as well as interest on the delayed release of payment keeping in view the law laid down by the Full Bench of this Court in ***Kesar Chand vs. State of Punjab and Ors, 1988 (2) PLR 223 as well as in A.S. Randhawa vs. State of Punjab, 1997 (3) SCT 468*** within three months.

[3] Pursuant to issuance of notice, although short reply was filed on behalf of respondent No.2, on 08.09.2020, yet today learned counsel for the respondents has filed reply of Prof. Varinder Kumar Kaushik,

Registrar, Punjabi University, Patiala present incumbent on the post of Registrar along with letter, Annexure R-1/1 dated 29.06.2020 releasing payment of Rs.4,75,694/- on account of gratuity vide cheque dated 16.05.2019 and Rs.5,43,650/- on account of leave encashment vide cheque dated 15.04.2019 (*by counting the benefit of daily wage service while computing qualifying service*). The said reply along with letter Annexure R-1/1 dated 29.06.2020 is taken on record. Copy thereof supplied to learned counsel for the petitioner, who states that in the circumstances, the petitioner does not press the instant petition but liberty be granted to the petitioner to challenge Annexure R-1/1 dated 29.06.2020 to the extent it does not grant interest to the petitioner on the delayed release of payment.

[4] In view of the position noted above and in view of Annexure R-1/1 dated 29.06.2020 having been passed in compliance of order, Annexure P/1 dated 29.04.2019 in CWP No.11002 of 2019 as well as statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

[5] Accordingly, the contempt petition is disposed of as such while granting liberty to the petitioner as prayed for.

[6] Rule discharged.

(B.S. Walia)
Judge

29.03.2022

'Amit'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No