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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No.2187 of 2023 (O&M)
Date of Decision: 16.11.2023

PGI EMPLOYEES UNION (NON FACULTY)

.....Petitioner

Vs

VIVEK LAL AND ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Karan Singla, Advocate
for the petitioner.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. This contempt petition has been filed by the petitioner alleging disobedience of order dated 10.05.2022 passed by this Court in CM No.5612-CWP of 2022 and order dated 14.10.2022 passed in RA-CW No.183 of 2022 in CWP No.2007 2021 whereby this Court while admitting the writ petition filed by the Institute against the order passed by the Central Administrative Tribunal, Chandigarh (CAT) directed that in the meantime the Institution shall not recover the licence fee at the enhanced rates from the private respondents.

2. Learned counsel for the petitioner submits that the enhanced rates of licence fee was charged vide circular dated 21.01.2022 which was in continuation of earlier orders enhancing the licence fee rates from 2013 onwards and, therefore, all the orders from 13.02.2022 would come within the scope of interim order passed by this Court and the interpretation taken by the respondents in withdrawing the order dated 21.01.2022 and

demanding licence fee being charged vide circular dated 15.04.2019 is contemptuous and is in violation of the order passed by this Court.

3. I have considered the submissions made by learned counsel for the petitioner.

4. In terms of order dated 10.05.2022 (supra) passed by the High Court, this Court finds that the respondents (petitioners therein) passed the order dated 31.01.2023 withdrawing their earlier circular dated 21.01.2022 whereby they have decided to enhance the rates of licence fee of the government accommodation in the Institute. Apparently, the High Court's order dated 10.05.2022 passed in CM No.5612-CWP of 2022 in CWP No.2007 of 2012 (O&M) was intended only to restrain the Institute from charging the said enhanced rates which the respondents had introduced vide circular dated 21.01.2022.

5. In view of the aforesaid order dated 31.01.2023, the earlier rates of licence fee would continue to remain in force and, therefore, this Court is satisfied that the order dated 31.01.2023 is in consonance with the order dated 10.05.2022 passed by this Court. Thus, no contempt is made out.

6. In view of the aforesaid, this Contempt Petition stands dismissed.

7. All pending applications filed in this Contempt Petition shall stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

November 16, 2023

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