



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCN No. 1099 of 2021 (O&M)
Date of Decision: 09.09.2024

Jaspal Ram and others

..... Petitioners

Versus

Sh. Sarvjit Singh, IAS, Principal Secretary,
Water Resources Department, Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rakesh Sobti, Advocate
for the petitioners.

Mr. Gunjan Mehta, Additional Advocate General, Punjab
for the respondents.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Sections 11 & 12 of the Contempt of Courts Act, 1971, read with Article 215 of the Constitution of India, prayer has been made for initiation of contempt proceedings against the respondents on account of alleged willful non-compliance of order dated 21.01.2021 (**Annexure P-1**) passed by this Court in CWP No. 3002 of 2020, the operative portion thereof reads as under:-

“ Learned counsel for the State is unable to deny that no appeal (LPA) has been filed in either of the two cases. Still the State, steadfastly continues to rely upon instructions dated 17.04.2000 to take an unjustified stand that benefit under the ACP scheme is not to be released to the petitioners with effect from the date on which they actually completed 4 years, 9 years and 14 years of regular service. Such a stand is clearly untenable hence rejected. Once the matter clearly stands decided it is not open to the State to keep taking such

a stand in complete contradiction to the orders passed earlier and thus perpetuating unnecessary litigation. Though I was inclined to impose costs but at ardent request of learned counsel for the State, desist therefrom.

Present writ petitions are, therefore, allowed in the same terms as in CWP-5956-2015.”

[2] In response, learned counsel for the respondents undertakes that the arrears of benefits alongwith interest @ 9% shall be released in favour of the petitioners within a period of two weeks from today.

[3] In view of the aforesaid stand / undertaking, learned counsel for the petitioners does not press the present petition any further.

[4] **Disposed off as not pressed.**

[5] However, in case the needful is not done within the afore-stated period, as per undertaking, the petitioners would be at liberty to seek revival of the present contempt petition and in that eventuality, the erring / concerned officer(s) would be liable to pay additional sum of Rs.1,00,000/- as costs from his/her own pocket in favour of the petitioners towards litigation expenses, immediately, i.e. on the first date of listing of revival application.

[6] Rule stands discharged.

September 09, 2024
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(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No