

2024:PHHC:013835

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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COCp-2426-2023 (O & M)
Date of decision: 31.01.2024

BALKAR SINGH

...Petitioner

Versus

BALDEV SINGH SRAN

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Randhir S. Hooda, Advocate,
for the petitioner.

Mr. Ferry Sofat, Advocate,
for the respondent.

RAJBIR SEHRAWAT, J. (Oral)

1. This is a contempt petition filed under Sections 11 and 12 of the Contempt of Courts Act, for punishing the respondent for disobeying the order dated 03.05.2016 passed in CWP-21586-2015.

2. Short reply dated 31.10.2023 by way of affidavit of Er. Baldev Singh Sran, Chairman-cum-Managing Director, Punjab State Power Corporation Limited (PSPCL), The Mall, Patiala, filed in the Registry, is taken on record.

3. Perusal of the record shows that in the same matter, the petitioner had earlier filed COCP-2206-2016. The said contempt petition was disposed of on 23.08.2017, with liberty to the petitioner to make a representation to the respondents and they were directed to re-consider the same. Whatever be the legality or quality of the said order, the fact remains that pursuant to the said order, the petitioner did make the representation and the respondents have passed the order dated 29.01.2018, whereby the claim of the petitioner qua the consequential relief has been declined. The

petitioner is stated to have filed CWP-16481-2019 challenging the said order; which is still pending adjudication. Another interesting aspect is that after the above-said order was passed by the Contempt Court; and by the respondents pursuant thereto, the LPA bearing No.1893-2016 filed by the respondents was dismissed by the Division Bench of this Court, vide order dated 28.03.2022, whereby grant of consequential benefits by the learned Single Bench, has been upheld by the Division Bench.

4. In view of the above, a patent inconsistency has crept in the matter because of the order passed by the Contempt Bench and the consequent order passed by the respondents; vis-à-vis; the order passed by the Writ Court and as upheld by the Division Bench. The said inconsistency deserves to be resolved in some other proceedings, however, this Court does not find it appropriate to proceed further in the contempt petition, at this stage.

5. Accordingly, the present petition is dismissed.

6. However, the petitioner would be at liberty to avail any other alternate remedy to get any clarification, modification or change of any order in this regard.

31.01.2024

parveen kumar

(RAJBIR SEHRAWAT)

JUDGE

Whether reasoned/speaking?

Whether reportable?

Yes/No

Yes/No