

[104] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.104 of 2020
Date of Decision :30.03.2022

Nirmala Devi ...Petitioner

versus

Sanjay Kumar, IAS, Principal Secretary,
Govt. of Punjab and othersRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Amit Arora, Advocate for the petitioner.
Mr. Aditya Sharda, Asstt. A.G., Punjab.
Mr. Manbir Singh, Advocate for Mr. Tushar Sharma, Advocate
for respondent No.4.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for punishing the respondents for intentional and willful defiance of order (Annexure P-1) dated 07.05.2019 in CWP No.12013 of 2019 in case titled as 'Nirmala Devi versus State of Punjab and others.'

[2] A perusal of order (Annexure P-1) reveals that CWP No.12013 of 2019 was disposed of by directing the respondents to decide the legal notice dated 27.03.2019 by passing a speaking order within 03 months from the date of receipt of certified copy of the order and in case, it was found that the petitioner was entitled to any monetary benefit, to release the same to her within 03 months thereafter.

[3] Learned counsel for the petitioner contends that the instant petition was filed on account of failure of the respondents to do the needful.

[4] *Per contra*, learned State Counsel has referred to order (Annexure R-1/T) dated 28.01.2020, deciding the claim made in legal

notice dated 27.03.2019 and holding the petitioner entitled to certain payments.

[5] Learned State Counsel contends that in view of order (Annexure R-1/T), no action is called for against the respondents under the Contempt of Courts Act, 1971.

[6] Learned counsel for the petitioner states that in view of order (Annexure R-1/T) dated 28.01.2020, deciding the claim made by the petitioner, the petitioner does not press the instant petition but liberty may be granted to him to challenge the non-grant of interest on the delayed payment.

[7] The same is not opposed to by the learned counsel for the respondents.

[8] Accordingly, in the light of the position noted above, as well as statement of learned counsel for the petitioner, the instant petition *is disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971, while granting liberty to the petitioner, as prayed for.

[9] *Rule discharged.*

(B.S. Walia)

Judge

30.03.2022

'Rajneesh'

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