

315

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-109-2019

Date of decision: 26.08.2019

Lal Chand

.. Petitioner

Versus

A. Venu Prasad and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. H.S.Dhindsa, Advocate
for the petitioner.

Ms. Kavita Arora, Advocate
for respondent No. 3.

Mr. Kanisth Ganeriwala, AAG, Punjab.

AVNEESH JHINGAN, J. (Oral)

This is a contempt petition arise from the decision of this Court in CWP No. 18740 of 2018 decided on 31.07.2018 whereby the writ petition filed by the petitioner was disposed of with the direction to the respondents to decide the legal notice dated 10.05.2018. The direction were that if found entitled to relief, to release the benefit within a period of 45 days thereafter. Further directions were to consider the awarding of interest on the delayed period, in view of the judgment of the Full Bench of this Court in case of *A.S.Randhawa Vs. State of Punjab and others; 1997 (3) SCT 468*.

Pursuant to the order, the legal notice of the petitioner was decided vide order dated 09.11.2018 and he was found entitled to payment of Rs. 13,90,305/-.

Learned State counsel, on instructions from Sh. Jatinder

Mahajan, EO, Dhariwal, submits that the payment would be made within six weeks from today.

Considering the fact that in spite of direction of this Court vide order dated 31.07.2018, the respondents passed an order only on 09.11.2018 and even after passing of more than 08 months, no payment has been made. The respondents are directed to make payment within eight weeks from today.

From the perusal of order dated 09.11.2018, it is evident that the claim with regard to the interest on the delayed period has not been considered. The respondent shall pass a speaking order in accordance with law with regard to the interest to be paid on the delayed period.

Needless to say that in case, the petitioner is aggrieved of the order passed on the interest claim, he would be at liberty to avail his remedies in accordance with law.

In view of the above, the present contempt petition is disposed of with liberty as prayed for.

In case, payment is not made as per statement made today, the petitioner would be at liberty to revive the contempt petition. If the petitioner is forced to revive the contempt petition, exemplary costs may be imposed which shall be recovered personally from the defaulting official.

Rule issued against respondents is discharged.

26th August, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No