

COCP-2331-2022

Date of Decision :12.12.2022

Kulwant Singh and others ...Petitioners

versus

Pardeep Kumar, IAS and othersRespondents

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

Present : Mr. Harnek Singh, Advocate for the petitioners.

Mr. Ayush Sarna, Asstt. AG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the instant petition is for initiation of proceedings against the respondents for intentional and willful defiance of order, Annexure P/1 in CWP-5413-2016.

2. A perusal of order Annexure P/1 reveals that CWP-5413-2016, was disposed of by directing the State Transport Commissioner, Punjab, to consider and decide the claim of the petitioners in the light of decision of this Court in the case of State of Punjab and others vs. A.P. Sharma and others 2017 (1) SCT 322, Karanvir Singh and others vs. State of Punjab and others-CWP-2866-2014 decided on 30.09.2016, besides the decision in LPA No.251-2014, in case titled as Satbir Singh and others vs. State of Punjab and others decided on 04.08.2014 and if on consideration, the competent authority came to the conclusion that request made by the petitioners was admissible, consequential relief was to be allowed to the petitioners within six weeks thereafter but in case the petitioners were not found entitled to any relief, a speaking order was required to be passed.

3. Short reply by way of affidavit of Mr. Navraj Batish, General

Manager, Punjab Road, Ludhiana, has been filed along with Annexures R/1 to R/4 dated 21.11.2019, 07.11.2019, 07.11.2019 and 07.11.2019 respectively, rejecting the claim of the petitioners and holding therein that the petitioners are not entitled to the relief claimed. The same is taken on record. Copy thereof supplied to learned counsel for the petitioners, who on perusal thereof, states that he does not press the instant petition but prays for grant of liberty to the petitioners to challenge orders Annexures R/1 to R/4, dated 21.11.2019, 07.11.2019, 07.11.2019 and 07.11.2019, by way of appropriate proceedings, in accordance with law.

4. In view of the position noted above as well as statement of learned counsel for the petitioners, 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 petitioners as prayed for.

(B.S. Walia)
Judge

12.12.2022

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