



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

COCP-2363-2023

Date of decision : 26.09.2025

KULWANT KAUR

...Petitioner

Versus

VIVEK PARTAP SINGH AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : None for the petitioner.

Dr. Dharminder Singh Lamba, Addl. A.G., Punjab.

PANKAJ JAIN, J. (ORAL)

Petitioner alleges wilful disobedience of the order dated 10.10.2022 passed in CWP No.23157 of 2022. Operative part of the order reads as under:

“In view of the above, without expressing any opinion or going into the merits of the case or the claim being made by the petitioner in the present petition or in the legal notice dated 17.01.2022 or in the reminder dated 06.07.2022, the present petition is disposed of with a direction to respondent No.2/Competent Authority to consider the claim raised in the legal notice (Annexure P-8), reminder (Annexure P-10) thereto and decide the same, in accordance with law, by passing a speaking order within a period of ten weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be paid to him within a period of six weeks thereafter, as per law.”



2. Compliance report by way of affidavit of Dr. Jasminder, Director Health Services (Family Welfare), Punjab has been filed. The same is taken on record. The stand of the respondents as per the affidavit reads as under:

“6 That regarding the disposal of charge sheet issued vide letter No. E- 6(1)Punjab/05/2492 dated 23.06.2005, the petitioner was given opportunity of personal hearing vide letter No. E-9(2)Punjab/1245 dated 22.07.2020 to come present on dated 04.08.2020, The petitioner did not appear for personal hearing despite various reminders had been issued by the Department. Keeping in view the representation made by the petitioner, she was again issued letter NO. 2233 dated 08.10.2020 to come present on dated 14.10.2020 for personal hearing. The petitioner appeared on dated 21.10.2020 for personal hearing before Director Family Welfare (Health Services) Punjab. Keeping in view the clarification made by the petitioner during personal hearing, the 17 years 9 months service done by the petitioner and the enquiry report submitted by enquiry officer, 5% deduction was imposed on the pension of the petitioner vide order dated 07.12.200. For the disposal of the period of absence from duty of the petitioner, the case was forwarded to the government by the office of Director Health Services (Family Welfare) on 19.05.2020 as per government instructions dated 05.09.2014 to dies non the period of absence.

7 That the matter remained under correspondence and the case of the petitioner was forwarded to Department of Finance, Govt. of Punjab.

8 That the Department of Finance, Government of Punjab has accorded the permission to Dies-non the absence period of the petitioner i.e 16-10-1984 to 20-10-2004, Vide I.D letter no FD-FP 201(DINO)/4/2022-3FP2/1/967428/2024 date 13-11-2024.



(Annexure R-1/T). It is humbly submitted that the same permission has been sent to the Director, Resarch Medical Education Punjab, Mohali vide letter E-9(2)/pb/2024/ 6172 date 20-11-2024 and Principal, Government Medical College, Patiala for release of retiral benefits as per existing laws to the petitioner. Keeping in view the above facts a speaking order dated 09-12-2024 has been passed by the Competent authority. A Copy of the speaking order dated 09-12-2024is annexed here with as Annexure R/2 for kind perusal of this Hon'ble Court.”

3. In view of above, this Court does not find any necessity to pass any further order in the present contempt petition. The same is accordingly, disposed off.
4. However, liberty is granted to the petitioner to avail remedies against the order, in accordance with law.
5. Ordered accordingly

September 26, 2025

(Pankaj Jain)

Dpr

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No