



196

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

COCP-5359-2024

Date of Decision: January 21, 2025

BALWINDER SINGH

.....Petitioner

Versus

DR SANJIV PURI

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Hardeep Singh, Advocate for the petitioner.

Mr. Divyansh Vats, Advocate for

Mr. H.S. Batth, Advocate for the respondent.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Sections 11 and 12 of the Contempt of Courts Act, 1971, prayer has been made for initiation of contempt proceedings against the respondent on account of alleged willful non-compliance of order dated 16.09.2024 passed by this Court in CWP-23362-2024. The operative part thereof is extracted hereunder:-

“On the asking of Court, Mr. H.S. Baath, Advocate accepts notice on behalf of respondent-University and submits that in case, representations dated 11.07.2024 & 16.08.2024 (Annexures P/6 & P/7 respectively) have been received from the petitioner and are still pending consideration with the respondent-University, the same will be decided in the light of the judgment of this Court in Gurdev Singh (supra) and appropriate order will be passed within a period of 08 weeks from the date of receipt of copy of this order and in case, it is found feasible, the relief will be extended to petitioner otherwise, due reasons for not accepting the claim of the petitioner will be mentioned in the order so passed, which will be conveyed to the petitioner as well for his information and necessary action.

Learned counsel for the petitioner submits that keeping in view the statement made by learned counsel for the respondent-University, present petition may kindly be disposed of having been not pressed any further.”

The respondent having failed to comply with the aforesaid direction, the petitioner was compelled to approach this Court by way of filing a contempt petition. Upon notice, respondent has passed the speaking order dated 19.12.2024 finding the petitioner entitled for the benefit of one notional increment for completing his 12 months' service before his retirement w.e.f. 01.07.2019 to 30.06.2020 for the purpose of re-fixation of his last pay drawn for the purpose of computing the pensionary benefits.

Learned counsel for respondent submits that though, the petitioner has been found entitled for the benefit, however, the release of actual amount shall take one week and the needful shall be done accordingly.

In view of the aforesaid, learned counsel for the petitioner does not press the present petition.

Dismissed as not pressed.

Rule discharged.

However, in case the needful is not done within the aforementioned period, as per the undertaking, the petitioner would be at liberty to seek revival of the contempt petition and in that eventuality, the erring/concerned Officer would be liable to pay additional sum of Rs.50,000/- as costs from his/her own pocket in favour of the petitioner towards litigation expenses, immediately, i.e. on the first date of listing of revival application.

21.01.2025

Tejwinder

**(HARKESH MANUJA)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>