



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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COCP No.1720 of 2020 (O&M)
DATE OF DECISION : 22nd MAY, 2024

Shyam Jiwan Pathak

.... Petitioner

Versus

Mahavir Singh & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Mukesh Rao, Advocate for the petitioner.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Sections 11 & 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India for initiating contempt proceedings against respondents for non-compliance of order dated 01.03.2012 passed in CWP-17733-2010; along with certain other prayers.

2. In compliance of order dated 01.03.2012, the counsel for respondent-State has already placed on record reply by way of affidavit filed on behalf of respondent No.2 dated 02.04.2024, which is taken on record.

3. The counsel for the respondent has submitted that the order, qua which contempt was asserted, has since been complied with by considering the claim of the petitioner and by sending the claim of the petitioner to the office of Accountant General by calculating the CPF amount. Although the petitioner has not deposited the requisite amount which was required to be deposited by him vide memo dated 22.03.2024,

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however, the respondents have adjusted that amount from the amount payable to the petitioner. No further action is required in the matter. Accordingly, the present petition has been rendered as infructuous.

4. Dismissed as having been rendered infructuous.
5. However, if any grievance of the petitioner is left unaddressed, he will be at liberty to avail any other alternate remedy, but in accordance with law.

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6. This is an application filed by the applicant under Section 151 CPC for modification of order dated 05.03.2024 in the present COCP.
7. For reasons mentioned in the application, the same is allowed as prayed for. The respondents are free to fix the responsibility of the person for delay in compliance, and accordingly, to recover the amount of ₹50,000/-, so deposited by respondent No.2, from the concerned person or from the department as the case may be.

22nd MAY, 2024
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No