

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCF No.1513 of 2009 (O&M)

Date of decision: 30.10.2009

Sucha Singh

.....Petitioner(s)

Versus

Dalbir Singh Dhillon and another

.....Respondent(s)

CORAM:- HON'BLE MR.JUSTICE RAKESH KUMAR GARG

*** * ***

Present: Mr. Sameer Sachdeva, Advocate for the petitioner.

Dr. B.M. Singh, Advocate for the respondents.

Rakesh Kumar Garg, J.(Oral)

CM No.25486-CII of 2009

Application is allowed subject to all just exceptions.

COCF No.1513 of 2009

Respondents are present in Court.

In compliance of order dated 22.10.2009, an affidavit on behalf of Dr. Ranjeet Singh Bajwa, Vice-Chairman-cum-Secretary, Punjab School Education Board, Mohali, has been filed wherein it has been submitted as under:-

“1. That in compliance of the orders dated 27.3.2009 of this Hon'ble Court in the abovenoted civil writ petition, it is most respectfully submitted that the writ petitioner shall be paid the amount due to him as per the directions of the Id. Single Judge within 21 days from 30.10.2009 or within the period specified by this Hon'ble Court. This period for payment is prayed for since pension, etc., has to re-fixed and audited by the Audit Department which entails time.

5. That the respondents hold this Hon'ble Court in

high esteem. The delay which has occurred is neither intentional nor deliberate. The respondents tender unconditional and unqualified apology for the same. The Punjab School Education Board wanted to avail the remedy of Letters Patent Appeal in which the above quoted order has been issued. In view of full compliance of the orders of this Hon'ble Court as also unqualified apology, the rule may kindly be discharged in the interest of justice.”

However, during the course of arguments, learned counsel appearing on behalf of the respondents, on instructions from respondent No.2, states that the following line in para No.5 of the aforesaid affidavit may kindly be deleted:

“The Punjab School Education Board wanted to avail the remedy of Letters Patent Appeal in which the above quoted order has been issued. “

On the aforesaid prayer, the aforesaid line in the affidavit is treated to be deleted.

In view of the undertaking given by the learned counsel appearing on behalf of the respondents, learned counsel for the petitioner does not wish to press this petition at this stage.

Rule discharged.

However, the petitioner shall be at liberty to revive this contempt petition in case the aforesaid undertaking given before this Court is not honoured within three weeks from today.

Disposed of .

October 30, 2009
ps

(RAKESH KUMAR GARG)
JUDGE