

(2020) 09 SHI CK 0435
In the High Court Of Himachal Pradesh
Case No : COPC(T) No. 792 Of 2020

Sanjaya Sharma And Others

APPELLANT

Vs

Kamlesh Kuamr Pant And Another

RESPONDENT

Date of Decision : 28-09-2020

Acts Referred:

Contempt Of Courts Act, 1971 — Section 10, 12

Citation : (2020) 09 SHI CK 0435

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Tijender Singh, Ashok Sharma, Arvind Sharma, Kunal Thakur, Swanil Jaswal, Sunny Dhatwalia

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. By way of present petition filed under Ss. 10 and 12 of the Contempt of Courts Act, 1971, prayer has been made on behalf of the petitioners to initiate contempt proceedings against the respondents for willful and deliberate disobedience of order dated 30.10.2015 rendered by erstwhile Himachal Pradesh Administrative Tribunal in TA No. 6042 of 2015 titled as Sanjaya Sharma and others vs. State of Himachal Pradesh and others, whereby learned Tribunal below, while allowing the Original Application having been filed by the petitioners, directed respondents Nos. 1 and 2 to pay amount of Grant-in-Aid after adjusting excess payment made to the petitioners, within three months. Since no action, whatsoever, came to be taken by the respondents in pursuance to order passed by erstwhile Himachal Pradesh Administrative Tribunal, petitioners have approached this Court in the instant proceedings, praying therein to take appropriate action against the respondents, in accordance with law.

2. Having heard learned counsel for the parties and perused the reply filed by respondents Nos. 1 and 2, this court finds that order in question stands duly

complied with. Having perused Annexures R-1 to R-3, annexed with the reply filed by respondents Nos. 1 and 2, this Court finds that pursuant to direction issued by erstwhile Himachal Pradesh Administrative Tribunal, arrear were calculated and 95% of Grant-in-Aid was released in favour of management concerned i.e. Arya Girls Senior Secondary School, Shimla, where petitioners were rendering their services as Lecturers, for disbursing the same to them. Communication dated 16.3.2019, Annexure R-3 clearly reveals that the management of the school concerned, after having received 95% Grant-in-Aid from the respondents, deposited the same into bank accounts of the petitioners, as such, nothing remains to be adjudicated in the present proceedings. Though, at this state, learned Counsel appearing for the petitioners has disputed factum with respect to release of Grant-in-Aid, but having taken note of the affidavit filed by respondents, wherein they have annexed the communication received from the concerned quarters, this Court sees no reason to disbelieve the version of the respondents.

3. In view of above, present proceedings are closed. Notices issued to the respondents are discharged. Liberty is reserved to the petitioners to file appropriate proceedings before appropriate forum, qua surviving grievances, if any.