

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COC-968-2016

Date of decision: 18.07.2017

Amit Kumar

...Petitioner

V/s.

Raghvindra Rao and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY.

Present: Mr. Ashish Gupta, Advocate for the petitioner.

Mr. Sandeep S. Maan, Sr. DAG, Haryana.

Mr. S.K. Mahajan, Advocate for HUDA.

DAYA CHAUDHARY, J. (Oral)

In compliance of order dated 17.01.2017, an additional affidavit has been filed by the respondents which is on record. The affidavit has been filed by taking contradictory stand.

On Perusal of contents of affidavit, it is apparent that opportunity of hearing has not been granted to the petitioner. A specific direction was there in the order passed in CWP No. 18821 of 2014 that the order be passed within a period of four months from the date of receipt of copy of representation but delay has been caused in passing the order. It appears that there is confusion in the mind of authorities as to who is the competent authority. All efforts have been made in the affidavit to justify the delay. Meaning thereby, the order passed by this Court in the writ petition has not been complied with well within time. Even the affidavit filed by the respondents is not to the satisfaction of this Court as a specific direction was issued by this Court not only in the order passed in the writ petition, but also in the order dated 17.01.2017 passed in the contempt petition that order be passed after giving an opportunity of hearing to the

petitioner.

In view of the above, the present petition is disposed of with a direction to respondents to reconsider the claim of the petitioner by giving opportunity of hearing within a period of four weeks from today and, thereafter, pass well reasoned speaking order keeping in view the averments made in the representation.

Disposed of.

July 18, 2017
Divyanshi

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No