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

COCP-282-2018
Date of decision: 16.05.2018

Prem Bahadur **...Petitioner**

Vs.

J. Ganesan, Chief Administrator, HUDA **...Respondent**

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present : Mr. Sumit Sharma, Advocate
for the petitioner.

Mr. Deepak Manchanda, Advocate
for the respondent.

*****

RAJIV NARAIN RAINA, J. ***(Oral)***

Order dated 14.11.2014 disposing of CWP No. 18364 of 2001 was breached by the petitioner when he did not apply as directed to approach the authorities through representation within a period of three months from the date of the order, then the petitioner should not be permitted to invoke the contempt jurisdiction of this Court. It is an appropriate case where the action is hit by Section 20 of the Contempt of Courts Act. It has categorically been stated in Para No. 6 of the written statement, filed on behalf of the respondent, that the petitioner filed representation only on 06.10.2017 with the answering deponent and that too after a lapse of three years. It is further stated that after that reply had also been duly communicated by the Sub Divisional Engineer, vide letter dated 07.02.2018 furnishing reasons therein for not entertaining the representation dated 16.09.2017 being time barred as per decision of this Court dated 14.11.2014. The representation has been attached with the written statement

Mohammad Waseem Ansari
2018.05.18 10:19
I attest to the accuracy and
authenticity of this document

as Annexure R-2.

No replication has been filed to controvert the stand taken by the respondent in Para No. 6 of the written statement, hence, the averments are taken as true by the principle of non-traverse.

In view of above revelation in the written statement, the contempt proceedings are terminated. The petition is dismissed accordingly. Rule is discharged.

(RAJIV NARAIN RAINA)
JUDGE

16.05.2018

Waseem Ansari

Whether speaking/reasoned *Yes/No.*

Whether Reportable *Yes/No*

Mohammad Waseem Ansari
2018.05.18 10:19
I attest to the accuracy and
authenticity of this document