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

**COCP No.1284 of 2019
Date of Decision: 17.07.2019**

Arrive Safe Society of Chandigarh

Petitioner

Versus

Depinder Singh Dhesi, Chief Secretary, Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sparsh Gupta, Advocate for
Mr. R.K. Gupta, Advocate
for the petitioner.

Mr. Lokesh Sinhal, Addl. A.G., Haryana.

Mr. Kanisth Ganeriwala, AAG, Punjab.

Mr. D.K. Prajapati, Advocate
for respondent No.7.

Mr. Arun Gosain, Sr. Panel Counsel
for respondent No.8.

AVNEESH JHINGAN, J (Oral):

The present contempt petitioner has been filed pleading wilful disobedience of order dated 27.03.2018 passed by this Court in CWP No.26234 of 2017.

The relevant directions issued in the writ petition are reproduced below:-

“28. In view of the above, it would be appropriate that in terms of Article 47 of the Constitution of India and for the safety of the public, no liquor vend outside the limits of the towns, cities and villages but falling in the municipal areas on the Highways should be allowed to operate without compliance with the provisions of the 2002 Act. Ordered accordingly. It shall be for the Highway Administration to examine individual cases and determine the proximity of the location of the liquor vend to the towns, cities and villages on the Highways within the municipal areas keeping in view the safety and convenience of traffic in terms of the provisions of the 2002 Act. It shall, however, be open for the petitioner to bring individual case violating the norms for location of liquor vends on the Highways to the notice of the competent authority for taking appropriate action in accordance with law. The writ petition stands disposed of in the manner indicated hereinabove.”

On notice, respondents have filed reply annexing order dated 01.04.2019 passed by the Supreme Court. The relevant portion of the order is reproduced below:-

“Delay condoned.

Issue notice returnable in four weeks.

In the meantime, there shall be a stay of operation of the direction contained in paragraph 28 of the impugned judgment and order of the High Court dated 27 March 2018.”

As per said order, directions contained in para 28 of judgment of the High Court have been stayed.

Learned counsel for the petitioner is not in a position to rebut the position existing as on date.

In view of order of the Supreme Court, the contempt petition is dismissed as having been rendered infructuous with liberty to petitioner to revive the petition if grievance survives after decision of Special Leave Petition.

Rule issued against the respondents stands discharged.

[AVNEESH JHINGAN]
JUDGE

July 17, 2019

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |