

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

COCP-1091-2020 (O&M)

Date of Decision: 27.08.2020

Rajpal Singh

.....Petitioner

Versus

Priyanka Soni and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. V.P. Sangwan, Advocate for the petitioner.

Mr. Sharan Sethi, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

The present contempt petition was filed alleging wilful and deliberate disobedience of the order dated 17.01.2020 passed by this Court while disposing of CWP 1253 of 2020.

The operative part of the order dated 17.01.2020 passed by this Court reads as follows:-

***“The writ petition is accordingly disposed of directing the authorities concerned to conclude the enquiry initiated Against the petitioner and take appropriate action thereafter in accordance with due procedure. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of a certified copy of this order.*”**

No order as to costs.”

After notice having been issued in the instant contempt petition a reply by way of affidavit dated 23.07.2020 of the Deputy Commissioner, Hisar alongwith Annexures R1 to R4 has been placed on record.

In the reply it has been categorically averred that the final report of the regular enquiry has been submitted by the Sub Division Officer (Civil)-cum-Regular Enquiry Officer dated 19.06.2020 (Annexure R-2) and FIR No.0393 dated 17.06.2020 (Annexure R3) has been lodged against the petitioner by the Block Development and Panchayat Officer, Hisar-II on account of having not surrendered the original records. It has further been stated in the reply that on account of exercise of power conferred under Section 53 (3) (e) of the Haryana Panchayati Raj Act, 1994 the petitioner has been removed from the post of Sarpanch by passing a speaking order dated 10.07.2020 (Anenxure R-4).

In the light of the categoric stand taken in the reply, there has been due compliance of the directions issued by this Court vide order dated 17.01.2020 while disposing of CWP No.1253 of 2020. At this stage, counsel for the petitioner would submit that the enquiry had been directed to be concluded within a period of eight weeks from the date of receipt of certified copy of the order but the same had been delayed and this would also constitute wilful and deliberate non-compliance. Such submission raised by counsel, cannot be given much weight as this court is aware of the lock-down that has been imposed on account of the current covid-19 pandemic and on account of which certain delay was inevitable.

In view of the above, nothing survives in the instant contempt petition and the same is disposed of as infructuous.

Rule discharged.

Pending application(s), if any, shall also stands disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

August 27, 2020

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