

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-1513-2020

Date of Decision: 16.11.2020

Krishan Kumar

...Petitioner

vs.

J. Ganesan

...Respondent

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Rajesh Kumar Dhankhar, Advocate for the petitioner.

Mr. Vivek Chauhan, Addl. AG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.
2. Reply filed by the State Counsel, is taken on record.
3. Prayer in the petition under Sections 10 and 12 of the Contempt of Courts Act, 1971, is for initiation of action against the respondent for violation of judgment and order Annexure P/1 dated 05.02.2020, in CWP No.14443/2016.
4. Learned counsel for the petitioner states that Hon'ble the Division Bench in LPA No.619 of 2020, has stayed the operation of judgment and order Annexure P/1 dated 05.02.2020, vide order dated 18.09.2020, therefore, he does not press the Contempt Petition and the same may be disposed of as such at this stage with liberty to move an application for revival of the Contempt Petition if the circumstances of the case so warrant, pursuant to the decision of the LPA. However, the respondents be directed to pay costs in terms of order

5. Learned Addl. AG, Haryana, does not oppose the prayer of learned counsel for the petitioner but prays for liberty to move application within two weeks for modification of order dated 15.09.2020 directing payment of costs on account of non-filing of reply, and in case of failure to do so within the stipulated period of time / non modification of order for payment of costs, costs would be deposited within two weeks.

6. Accordingly, in view of the statement of learned counsel for the parties, the Contempt Petition is disposed of with the liberty as prayed for. However, the respondent is granted liberty to move application within two weeks for modification of order dated 15.09.2020 directing payment of costs, on account of non-filing of reply, and in case of failure to move application within the stipulated period of time / non modification of order for payment of costs, costs be deposited within two weeks thereafter. In case of non-filing of application seeking modification of order dated 15.09.2020 / non-deposit of costs within the stipulated period of time, Registry to put up the matter for appropriate orders.

(B.S. Walia)
Judge

16.11.2020
'Rajesh-PS'

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