

Anita Chaudhary and another

...Petitioners

Versus

Vivek Kalia

...Respondent

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

Present : Mr. Naveen S. Bhardwaj, Advocate for the petitioners.  
Mr. Lokesh Sinhal, Advocate for the respondent.

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B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Reply filed by learned State Counsel, is taken on record. Copy thereof supplied to learned counsel for the petitioners.
3. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondent for willful and deliberate disobedience of order Annexure P/1 dated 07.07.2020, in CWP No.9374 of 2020.
4. Learned counsel contends that vide order Annexure P/1 dated 07.07.2020, CWP No.9374 of 2020 was disposed of on the stand of the respondents that the petitioners' request for demarcation of area of plot No.1371, Sector-51, Gurugram, in terms of the extant Regulations and the approved plan, would be taken up for consideration and appropriate orders would be passed in all likelihood within six weeks from the date of order but despite lapse of aforementioned period of time, needful has not been done, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971 for non-compliance with order dated 07.07.2020, in

5. Learned counsel for the respondent, on the other hand, states that the demarcation of the area of Plot No.1371, Sector-51, Gurugram, has already taken place and that approval for the revised demarcation has been sought from the competent authority i.e. the Chief Administrator and that necessary approval would be obtained within four weeks and conveyed to the petitioner within one week thereafter.

6. The same satisfies learned counsel for the petitioners, who states that in view of the assurance held out by Mr. Lokesh Sinhal, learned Counsel for the respondent, he does not press the Contempt Petition, and the same may be disposed of as such at this stage while granting liberty to the petitioners to move an application for revival of the contempt petition, if the circumstances of the case, so warrant.

7. Accordingly, in the light of statement of learned counsel for the parties, the Contempt Petition is disposed of at this stage by directing the respondent to grant approval to the revised demarcation of Plot No.1371, Sector-51, Gurugram in terms of the assurance within four weeks from today and to convey the same to the petitioners within one week thereafter. However, in case, the needful is not done within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the Contempt Petition for appropriate action in accordance with law.

**(B.S. Walia)**  
**Judge**

16.11.2020

*'Rajesh-PS'*

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