

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-1965-2020

Date of Decision: 11.11.2020

Sukhdev Kaur

...Petitioner

vs.

Narinder Singh Dhaliwal

...Respondent

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

Present: Mr.Gurbir Singh Sidhu, Advocate for the petitioner.

Mr. Nitin, Advocate for the respondent.

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. Prayer in the petition under Sections 10 and 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondent for deliberately and willfully disobeying order, Annexure P/1 dated 05.03.2020, in CWP No.5101 of 2020.
3. Learned counsel contends that vide order Annexure P/1 dated 05.03.2020, CWP No.5101 of 2020, was disposed of with a direction to the Sub Divisional Magistrate, Jagraon, exercising the powers of Election Tribunal, Ludhiana, to make all efforts to decide the Election Petition preferably within a period of six weeks from the date of receipt of certified copy of the order, but despite lapse of more than eight months, 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 the order of this Court

4. Mr. Nitin, Advocate, on instructions from respondent No.2, states that needful could not be done due to circumstances prevailing on account of Corona Virus Pandemic but in case six weeks more time is granted, Election Petition would be decided, in accordance with law.

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

6. In view of the statement of learned counsel for the parties, the petition is ***disposed of*** by directing the respondent to decide the Election Petition within six weeks from today. However, it is made clear that 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.

(B.S. Walia)
Judge

11.11.2020

'PS-Rajesh'

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