

COCP-2066-2020

Date of Decision: 03.12.2020

M/s Prabhat Kumar Contractor

...Petitioner

vs.

Rajeev Arora IAS, Chairman and another

...Respondents

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

Present: Mr. Arun William, Advocate for the petitioner.

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 respondents for intentional and willful disobedience of order Annexure P/2 dated 16.07.2020, in CWP-9925-2020.

3. Learned counsel contends that CWP-9925-2020, was disposed of vide order dated 16.07.2020, by directing the Managing Director, Haryana State Roads and Bridges Development Corporation Ltd., Panchkula as well as Superintending Engineer/Competent Authority, Gurugram Circle, Haryana Public Works Department, B & R Branch, Gurugram, to consider and decide legal notice dated 26.03.2019 by passing a speaking order within one month of receipt of certified copy of the order and in case the claim of the petitioner was accepted, to constitute a Committee within further period of one week but despite expiry of the aforementioned period of time, needful has not been done, therefore, the respondents are liable to be proceeded against under the Contempt of

4. Issue notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against them for intentional and willful non-compliance with orders dated 16.07.2020, in CWP-9925-2020.

5. Mr. Vivek Chauhan, Addl. AG, Haryana, accepts notice on behalf of the respondents and on instructions from the respondents, has placed on record copy of order dated 25.09.2020 & 30.10.2020, passed by the respondents. The aforesaid orders are taken on record and copies thereof supplied to learned counsel for the petitioner, who on perusal thereof, states that in the circumstances, he does not press the Contempt Petition and the same may be disposed of as such while granting liberty to the petitioner to challenge the aforementioned orders, by way of appropriate proceedings in accordance with law.

5. The same is not opposed by learned Addl. AG, Haryana.

6. Accordingly, in the light of statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed with the liberty as prayed for.

(B.S. Walia)
Judge

03.12.2020

'Rajesh-PS'

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