

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-2169-2020 (O&M)
Date of Decision: 16.10.2020

Madhu Gupta

...Petitioner

vs.

Krishan Kumar and another

...Respondents

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

Present: Mr. Gaurav Sharma, 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 11 and 12 of the Contempt of Courts Act, 1971, is for taking action against the respondents for deliberately and intentionally not complying with order Annexure P/1 dated 22.11.2019, in CWP No.34109 of 2019, in case titled as Madhu Gupta vs. State of Punjab and others.
3. Learned counsel contends that vide order Annexure P/1 dated 22.11.2019, CWP No.34109 of 2020, was disposed of with a direction to the respondents to objectively consider legal notice dated 07.02.2019, by keeping in view the contentions raised in the writ petition and pass a speaking order in respect thereto, in accordance with law, within three months from the date of receipt of certified copy of the order, but that despite lapse of aforementioned period of time, needful has not been done.
4. Notice of motion to respondent No.2 only to show cause as to

why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for non-compliance with the orders of this Court dated 22.11.2019.

5. Mr. Navdeep Chhabra, DAG, Punjab, accepts notice on behalf of respondent No.2 and on instructions from respondent No.2 states that needful could not be done due to circumstances prevailing on account of Covid-19 pandemic, but in case two weeks more time is granted, legal notice dated 07.02.2019, would be decided in accordance with the order of this Court dated 22.11.2019 and decision taken in respect thereto, would be conveyed to the petitioner, within a week thereafter.

6. The same satisfies learned counsel for the petitioner who states that in the circumstances he does not press the contempt petition at this stage.

7. Accordingly, in view of the statement of learned counsel for the parties, the Contempt Petition is disposed of as not calling for any orders except directing respondent No.2 to pass speaking order on legal notice dated 07.02.2019, in accordance with the order of this Court dated 22.11.2019, in CWP No.34109 of 2019, within two weeks from today and to convey the decision taken in respect thereto, to the petitioner within a period of one week thereafter. Needless to mention, 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

16.10.2020

'Amit-Rajesh'

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