

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-2194-2020

Date of Decision: 16.10.2020

Birender Singh

...Petitioner

vs.

Mahavir Singh and others

...Respondents

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

Present: Mr. Suresh Ahlawat, 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 Section 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondents for willful, intentional and deliberate disobedience of orders Annexure P/1 dated 10.07.2020, in CWP No.9558/2020.

3. Learned counsel contends that vide order Annexure P/1 dated 10.07.2020, CWP No.9558 of 2020, was disposed of by directing the competent authority to take final decision with regard to the grievance of the petitioner within four weeks, but that despite lapse of aforementioned period of time, needful has not been done.

4. Notice to respondents 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 Annexure P/1 dated 10.07.2020.

5. Ms. Kirti Singh, DAG, Haryana, accepts notice on behalf of respondent No.2 and on instructions from Mr. Nishant, Legal Assistant, O/o

Director Secondary Education, Haryana, states that claim of the petitioner has already been decided by the DEO, vide order dated 16.09.2020.

6. Learned counsel for the petitioner on the other hand states that the DEO is not the competent authority rather it is Director General, Secondary Education, Haryana Shiksha Sadan, Sector-5, Panchkula, who is the competent authority.

7. Faced with the aforementioned position, learned DAG, Haryana, states that in case four weeks more time is granted, appropriate orders on the claim of the petitioner in compliance with the order of this court dated 10.07.2020, would be passed by the Director General, Secondary Education, Haryana Shiksha Sadan, Sector-5, Panchkula and decision taken on the same would be conveyed to the petitioner within one week thereafter.

8. The same satisfies learned counsel for the petitioner, who states that in view of the assurance to do the needful in a time bound manner he does not press the Contempt Petition at this stage.

9. 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 consider and decide the claim of the petitioner in terms of order of this Court Annexure P/1 dated 10.07.2020, within four weeks from today and to convey the decision taken in respect thereto, to the petitioner within one week thereafter.

(B.S. Walia)
Judge

16.10.2020

'Amit-Rajesh'

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