

COCP No.2199 of 2020

Date of Decision : 16.10.2020

Ins. Dharampal Singh and others

...Petitioners

Versus

Vijai Vardhan, IAS, Chandigarh and another

....Respondents

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

Present : Mr. Aditya Yadav, Advocate for the petitioners.

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. Prayer in the petition under Sections 11 & 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondents for deliberately and intentionally not complying with the order (Annexure P-1) dated 04.02.2020, passed in CWP No.6326 of 2019, in case titled as 'Ins. Dharampal Singh and others versus State of Haryana and others'.

3. Learned counsel contends that vide order (Annexure P-1) dated 04.02.2020, CWP No.6326 of 2019, was disposed of by directing the official respondents to decide the legal notice of the petitioners within 06 weeks from the date of receipt of certified copy of the order but despite lapse of the stipulated period of time, needful has not been done.

4. Notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against them for non-compliance with Order (Annexure P-1) dated 04.02.2020 in CWP No.6326 of 2019.

5. Ms. Kirti Singh, DAG, Haryana, accepts notice on behalf of the respondents and on instructions from the *Assistant District Attorney (Home)* states that needful could not be done due to circumstances prevailing on account of Corona Virus Pandemic but in case 04 weeks more time is granted, needful would be done and decision taken on the legal notice dated 05.02.2019 would be conveyed to the petitioners within a period of 01 week thereafter.

6. The same satisfies learned counsel for the petitioners 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.

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 for directing respondent No.1 to decide legal notice dated 05.02.2019 in accordance with the directions of this Court dated 04.02.2020 in CWP No.6326 of 2019 within 04 weeks from today and to convey the decision on the same to the petitioners within a period of 01 week thereafter. In case the petitioners are found entitled to any benefit, the same be granted to them within a period of 04 weeks of date of decision. However, it is made clear that in case the needful is not done within the stipulated period of time, the petitioners would be at liberty to move an application for revival of the Contempt Petition.

(B.S. Walia)
Judge

October 16, 2020

'Rajneesh-Amit'

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