

COCN No.2260 of 2020

Date of Decision : 27.10.2020

Dhirender Hooda

...Petitioner

Versus

Rajeev Arora

....Respondent

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

Present : Mr. Lalit Kumar, 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 Covid-19 pandemic.

2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, is for initiating action against the respondent for intentionally and deliberately violating order dated 04.06.2020 i.e. Annexure P-1 passed in CWP No.7701 of 2020.

3. Learned counsel contends that vide order (Annexure P-1) dated 04.06.2020, CWP No.7701 of 2020 i.e. case titled as '*Dhirender Hooda versus State of Haryana and another*' was disposed of by directing the respondent to consider and decide representation dated 23.09.2019 expeditiously in accordance with law by 31.08.2020 but the same has not been done till date.

4. Notice to the respondent to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for non

compliance of the order of this Court dated 04.06.2020 in CWP No.7701 of 2020.

5. Mr. Vivek Chauhan, Addl. A.G., Haryana, who is present, accepts notice on behalf of the respondent and on instructions from Mr. Pravesh, D.A., Department of Administration and Justice, states that needful could not been done on account of administrative exigencies beyond the control of the respondent but that in case, 02 weeks' more time is granted, the needful would be done and orders passed on the representation dated 23.09.2019 would be conveyed to the petitioner.

6. The same satisfies learned counsel for the petitioner, who states that in case the respondent considers and decide representation dated 23.09.2019 in accordance with law as per assurance within time as granted by this Court, he would not press the contempt petition, at this stage.

7. Accordingly, in the light of the statement of learned counsel for the parties, the contempt petition is ***disposed of*** by directing the respondent to decide representation dated 23.09.2019 within 02 weeks from today and to convey the order passed on the representation to the petitioner within a period of 03 days thereafter.

8. 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

October 27, 2020

'Rajneesh-Amit'

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