

COCP No.2263 of 2020

Date of Decision : 27.10.2020

Attari Border Truck Operators Association

...Petitioner

Versus

Anindita Mitra

....Respondent

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

Present : Mr. Ashish Aggarwal, 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 Sections 10 & 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondent for flagrant violation of order (Annexure P-2) dated 18.09.2020 in CWP No.14784 of 2020.
3. Learned counsel contends that vide order (Annexure P-2) dated 18.09.2020, CWP No.14784 of 2020 i.e. case titled as 'Attari Border Truck Operators Association versus State of Punjab and others', was disposed of by permitting the petitioner association to file an appeal against allotment letter dated 31.08.2020 within 01 week while the Appellate Authority was directed to decide the appeal on receipt within 03 weeks thereafter by considering all the pleas taken by the petitioner, in accordance with law, by passing a speaking / detailed order but till date, needful has not been done.

4. Notice to the respondent to show cause as to why proceedings under the Contempt of Court Act, 1971 be not initiated against her for non-compliance with the order of this Court dated 18.09.2020 in CWP No.14784 of 2020.

5. Mr. Aditya Sharda, AAG, Punjab, who is present, accepts notice on behalf of the respondent and on instructions from the respondent, states that needful could not be done due to circumstances prevailing on account of Corona Virus Pandemic but that in case, 06 weeks time is granted, needful would be done and orders on the appeal filed by the petitioner would be conveyed to the petitioner-association.

6. The same satisfies learned counsel for the petitioner, who states that in case, the respondent assures to decide the appeal within 06 weeks from today, he would not press the contempt petition, at this stage.

7. In view of the statement of learned counsel for the parties, the contempt petition is ***disposed of*** by directing the respondent to decide the appeal filed by the petitioner-association within 06 weeks from today. However, it is made clear that in case the needful is not done within the stipulated period of time, the petitioner-association would be at liberty to move an application for revival of the contempt petition.

(B.S. Walia)
Judge

October 27, 2020

'Rajneesh-Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>