

COCp-2313-2020 (O&M)

Date of Decision : 19.11.2020

Bachan Singh

...Petitioner

Versus

Chander Mohan

....Respondent

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

Present : Mr. Mukesh Yadav, Advocate for the petitioner.

B.S. Walia, J. (VC)

Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

CM No.9699-CII of 2020

For the reasons, as are mentioned in the application, the same is ***allowed***.

Amended memo of parties is taken on record.

COCp-2313-2020

1. Prayer in the petition under Sections 11 & 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondent for not complying with directions dated 28.02.2020 in CRM-M No.8901 of 2020 in case titled as '**Bachan Singh** versus **State of Haryana and others.**'

2. Learned counsel contends that vide order (Annexure P-1) dated 28.02.2020, CRM-M No.8901 of 2020 was disposed of with a direction to the Superintendent of Police, Narnaul, to look into the representation of the petitioner but till date, needful has not been done, therefore, the respondent

is liable to be proceeded against under the Contempt of Courts Act, 1971 for violation of order dated 28.02.2020 in CRM-M No.8901 of 2020.

3. 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 with orders dated 28.02.2020, in CRM-M No.8901 of 2020.

4. Ms. Vivek Chauhan, learned Addl. A.G, Haryana, accepts notice on behalf of the respondent and on instructions from Shri Chander Mohan, IPS, Superintendent of Police, Narnaul, states that representation filed by the petitioner could not be decided due to circumstances prevailing on account of Corona Virus Pandemic, besides he has joined at Narnaul recently and in case 03 weeks time is granted, needful would be done and decision taken on the representation conveyed to the petitioner within 01 week, thereafter.

5. The same satisfies learned counsel for the petitioner, who states that in view of the assurance held out by the respondent through State Counsel, he does not press the contempt petition and the same may be disposed of, as such, at this stage, with liberty to the petitioner to move an application for revival of the contempt petition, if the circumstances of the case so warrant.

6. Accordingly, in the light of statement of learned counsel for the parties, the contempt petition is ***disposed of*** as not pressed, at this stage, while directing the respondent to decide the representation submitted by the petitioner by passing a speaking order, in accordance with law, within 03 weeks from today and to communicate the decision taken thereon to the petitioner within 01 week thereafter.

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

November 19, 2020
'Rajneesh-Amit'

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