

COCP No.2338 of 2020

Date of Decision : 02.11.2020

Urmila

...Petitioner

Versus

Suraj Bhan Kamboj, Director General Health Services,  
Haryana, Sector 6, Panchkula

....Respondent

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

Present : Mr. Sandeep Singh Sangwan, Advocate for the petitioner.

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**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. Learned counsel contends that on 08.10.2020, while issuing notice of motion for 23.11.2020 in CWP No.16519 of 2020 in case titled as '*Urmila versus State of Haryana and another*', this court was pleased to order that the petitioner be not relieved from Civil Hospital, Assandh, Karnal till then. However, *in derogation* of the aforementioned orders, the respondents have passed order (Annexure P-3) dated 19.10.2020, transferring the petitioner from CHC Assandh to PHC Uplana, Karnal, therefore, the respondents are liable to be proceeded against for intentional, deliberate and willful defiance of order (Annexure P-1) dated 08.10.2020.

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 violation of the order of this Court dated 08.10.2020 in CWP No.16519 of

4. Mr. Vivek Chauhan, Addl. A.G., Haryana, accepts notice and on instructions from the respondent, states that order (Annexure P-3) was passed on the basis of representation but in view of order dated 08.10.2020, the order of transfer (Annexure P-3) is being cancelled and the petitioner shall be allowed to continue at Civil Hospital, Assandh in terms of orders in CWP No.16519 of 2020, and that necessary orders to the above effect would be passed within 03 days from today.

5. The same satisfies learned counsel for the petitioner, who states that in view of the assurance of the respondent as held out by the learned State Counsel, he does not press the contempt petition at this stage and the same may be disposed of as not pressed, while granting 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 view of the statement of learned counsel for the parties, the contempt petition is ***disposed of*** by directing the respondent to comply with the order dated 08.10.2020 within 03 days from today. 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.

(B.S. Walia)  
Judge

**November 02, 2020**

*'Rajneesh-Rajesh'*

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