

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-2458-2020

Date of Decision: 10.11.2020

Ravita Devi

...Petitioner

vs.

Vijay Vardhan, IAS and others

...Respondents

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

Present: Mr. Arun Sharma, 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, is for initiating action against the respondents for deliberately and willfully disobeying order, Annexure P/1 dated 11.04.2019, in CWP No.9707 of 2019.

3. Learned counsel contends that vide order Annexure P/1 dated 11.04.2019, CWP No.9707 of 2019 was disposed of by directing the respondents to consider the case of the petitioner in accordance with law while keeping in view that posts of SBC had been converted to the General Category.

4. Learned counsel contends that despite sufficient period of time having lapsed, needful has not been done till date, therefore, respondent No.2 is liable to be proceeded against under the Contempt of Courts Act, 1971

for willful disobedience of order, Annexure P/1 dated 11.04.2019 in

5. Notice to respondent No.2 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 11.04.2020 in CWP No.9707 of 2019.

6. Mr. Vivek Chauhan, Addl. A.G., Haryana accepts notice on behalf of respondent No.2 and on instructions from respondent No.2 states that the petitioner secured 43.75 marks in written examination including 3 marks for interview whereas the last candidate selected in the General Category secured 53.45 marks, therefore, the petitioner is not entitled for appointment as Constable (Female) but decision in terms of order dated 11.04.2019 in CWP No.9707 of 2019 could not be taken due to circumstances prevailing on account of Corona Virus Pandemic, however, in case two weeks more time is granted, the needful would be done.

7. The same satisfies learned counsel for the petitioner, who states that in view of the assurance held out by respondent No.2 through learned State Counsel, he does not press the contempt petition at this stage and the same may be disposed of as such, while granting liberty to the petitioner to move an application for revival of the contempt petition, if the circumstances of the case, so warrant.

8. In view of the statement of learned counsel for the parties, the petition is ***disposed of*** by directing respondent No.2 to take a decision in accordance with law in terms of order dated 11.04.2019 in CWP No.9707 of 2019 within 02 weeks from today and to convey the decision to the petitioner within one week thereafter. 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.

10.11.2020
'Amit-Rajesh'

(B.S. Walia)
Judge

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