

COCN No.2472 of 2020 (O&M)
Date of Decision : 11.11.2020

Sunil Kumar and others

...Petitioners

Versus

Mahavir Singh and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Saurabh Dalal, Advocate for the petitioners.
*****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 11 & 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondents for failure to comply with orders dated 30.01.2020 in CWP No.2469 of 2020.
3. Learned counsel contends that vide order (Annexure P-1) dated 30.01.2020, CWP No.2469 of 2020 was disposed of by directing the respondents to decide representation dated 18.12.2019, in accordance with law in view of judgment dated 11.05.2016 passed in CWP No.1885 of 2011 within 03 months but needful has not been done, till date, therefore, the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971.
4. Notice to the respondents to show cause as to why proceedings under the Contempt of the Courts Act, 1971 be not initiated against them for non-compliance with the orders of this Court dated 30.01.2020, in CWP No.2469 of 2020.

behalf of the respondents and states that needful could not be done due to circumstances prevailing on account of Corona Virus Pandemic but in case 02 weeks' more time is granted, needful would be done and the orders passed on the representation would be conveyed to the petitioners within 01 week thereafter.

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

7. Accordingly, in the light of statement of learned counsel for the parties, the contempt petition is ***disposed of*** at this stage by directing the respondents to decide representation dated 18.12.2019, in accordance with law by taking into account judgment dated 11.05.2016 in CWP No.1885 of 2011 within 02 weeks from today and to furnish a copy of the decision to the petitioners within a period of 01 week thereafter.

8. However, it is made clear that in case of non-compliance with the orders of this Court within the stipulated period of time, the petitioners would be at liberty to move an application for revival of the contempt petition.

(B.S. Walia)
Judge

November 11, 2020

'Rajneesh-Amit'

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