

COCP No.2605 of 2020

Date of Decision: 25.11.2020

Mohan Lal

...Petitioner

Versus

Arun Kumar Verma and another

...Respondents

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

Present: Mr. Mukesh Arora, 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 11 and 12 of the Contempt of Courts Act, 1971 is for taking action against the respondents for willful defiance of order Annexure P/1 dated 09.12.2019, in CWP No.35712 of 2019.
3. Learned counsel contends that vide order Annexure P/1 dated 09.12.2019, CWP No.35712-2019 was disposed of by directing the respondents to objectively consider legal notice dated 23.06.2014 and 16.09.2019, objections filed by the petitioner, contentions raised in the writ petition and pass a speaking order within three months from the date of receipt of certified copy of the order but despite lapse of sufficient period of time, needful has not been done, therefore, the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971.
4. Issue 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 order Annexure P/1 dated 09.12.2019, in CWP No.35712 of 2019.
5. Mr. Aditya Sharda, AAG, Punjab, accepts notice on behalf of respondent No.2 and on instructions from Mr. Gurpreet Singh Thind, Joint

Director, Department of Technical Education and Industrial Training, Punjab, Chandigarh, states that needful could not be done due to circumstances prevailing on account of Corona Virus Pandemic but in case four weeks' time is granted, needful would be done and orders passed on the legal notice would be communicated to the petitioner, within one week thereafter.

6. The same satisfies learned counsel for the petitioner, 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 as such at this stage while granting liberty to the petitioner 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 as not pressed at this stage while directing respondent No.2 to decide the legal notice in terms of order, Annexure P/1 dated 09.12.2019, in CWP No.35712 of 2019, within four weeks from today and to convey the decision taken on the same to the petitioner within a period of one week thereafter. However, 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.

(B.S. Walia)
Judge

25.11.2020

'Rajesh-PS'

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