

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No.2488 of 2020
Date of Decision: 12.11.2020

M/s AKSS Builders

...Petitioner

Versus

Smt. Jaspreet Kaur Talwar, IAS and Ors.

...Respondents

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

Present: Mr. R.K. Girdhar, 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 10 and 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondents for not complying with order, Annexure P/1 dated 10.08.2020 in CWP No.11510 of 2020.
3. Learned counsel contends that vide order, Annexure P/1 dated 10.08.2020, CWP No.11510 of 2020 was disposed of by directing the Executive Engineer, Water Supply and Sanitation Division, Fazilka to consider and take an appropriate decision on the petitioner's representation as per law and in the event of coming to a finding that dues claimed by the petitioner were lawful and payable, the same be released to the petitioner at the earliest but despite lapse of sufficient period of time, needful has not been done, therefore, respondent No.4 is liable to be proceeded against under the Contempt of Courts Act, 1971 for non-compliance with order, Annexure P/1 dated

4. Issue notice to respondent No.4 to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for non-compliance with the order of this Court, Annexure P/1 dated 10.08.2020, in CWP No.11510 of 2020.

5. Mr. Aditya Sharda, AAG, Punjab, accepts notice on behalf of respondent No.4 and on instructions from respondent No.4 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 decision taken on the representation would be conveyed to the petitioner within one week thereafter and in case, the petitioner is found entitled to dues as claimed then the payment in respect thereto would be made to the petitioner within two weeks from the date of decision.

6. The same satisfies learned counsel for the petitioner, who states that in view of the assurance held out by respondent No.4 through 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*** at this stage by directing respondent No.4 to take a decision on the representation of the petitioner within a period of 02 weeks from today and to convey the decision in respect thereto to the petitioner within a period of one week thereafter. In case the petitioner is found entitled to dues as claimed, the same be released to the

it is made clear that if 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.

12.11.2020
'Amit-Rajneesh

(B.S. Walia)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No