

COCN No.2567 of 2020

Date of Decision : 19.11.2020

Virpal Singh

...Petitioner

Versus

Satwinder Singh Marwaha

....Respondent

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

Present : Mr. Ferry Sofat, 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 & 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondent for willful and intentional disobedience of order dated 16.10.2020 in CWP No.17464 of 2020 in case titled as '*Virpal Singh* versus *State of Punjab and others.*'

3. Learned counsel contends that vide order (Annexure P-1) dated 16.10.2020, CWP No.17464 of 2020 was disposed of by directing the Chairman Punjab Pollution Control Board, Patiala, to look into the grievance of the petitioner as had been highlighted by him in his representations dated 05.02.2020 and 03.03.2020 and take appropriate action, in accordance with law, if required against M/s Harihar Rice Mills, Village Jatiwal, Tehsil Nabha, District Patiala but despite lapse of sufficient period of time, needful has not been done, therefore, the respondent is

liable to be proceeded against under the Contempt of Courts Act, 1971 for violation of order dated 16.10.2020.

4. Notice to the respondent 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 16.10.2020, in CWP No.17464 of 2020.

5. Ms. Monica Chhibber Sharma, learned Sr. DAG, Punjab, accepts notice on behalf of the respondent and on instructions from the respondent states that officials of the Pollution Control Board inspected the site of the Rice Mill and orders would be passed in compliance of directions dated 16.10.2020 in CWP No.17464 of 2020 within 02 weeks from today and conveyed to the petitioner within 01 week, thereafter.

6. The same satisfies learned counsel for the petitioner, who states that in view of the assurance held out by the respondent through State Counsel, he does not press the contempt petition and the same may be disposed of, as such, at this stage, with 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 the statements of learned counsel for the parties, the contempt petition is ***disposed of*** as not pressed, at this stage, while directing the respondent to consider and decided representations dated 05.02.2020 and 03.03.2020, in accordance with law within 02 weeks from today and to communicate the decision taken thereon to the petitioner within 01 week thereafter.

8. However, it is made clear that in case, the needful is not done

move an application for revival of the contempt petition.

(B.S. Walia)
Judge

November 19, 2020
'Rajneesh-Amit'

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