

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-2574-2020

Date of Decision: 24.11.2020

Sandeep Kumar

...Petitioner

V/s

K Siva Prasad and Anr.

...Respondents

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

Present: Mr. Gagan Pradeep Singh Bal, 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. Learned counsel contends that despite order dated 6.10.2020, in CWP No.16261 of 2020 directing decision of appeal filed by the petitioner within 6 months and staying the operation of order dated 09.06.2020 till the decision of the appeal, respondent No.2 in violation thereof, is not releasing stocks to the petitioner to enable him to make supplies, therefore, respondent No.2 is liable to be proceeded against under the Contempt of Courts Act, 1971.

3. 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 orders dated 06.10.2020 in CWP No.16261 of 2020.

4. Mr. Aditya Sharda, AAG, Punjab, accepts notice on behalf of respondent No.2 and on instructions from respondent No.2 states that respondent No.2 has no intention whatsoever of violating order dated

06.10.2020 in CWP No.16261 of 2020 and supplies of stocks inert alia of

wheat could not be released to the petitioner on account of administrative exigencies but in case two weeks' time is granted, needful would be done.

5. 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 with liberty to the petitioner to move an application for revival of the contempt petition, if the circumstances of the case so warrant.

6. Accordingly, in the light of the 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 release supplies to the petitioner in terms of order dated 06.10.2020 staying operation of order dated 09.06.2020 as well as the assurance held out by respondent No. 2 through learned Asstt. A.G. within two weeks from today with liberty to the petitioner to move an application for revival of the contempt petition, if the circumstances of the case so warrant.

(B.S. Walia)
Judge

24.11.2020
'Rajesh-PS'

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