

COCN No.2603 of 2020

Date of Decision : 25.11.2020

Ved Parkash

...Petitioner

Versus

Raj Bakash Arora

....Respondent

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

Present : Mr. Bhim Singh, 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 for the petitioner states that despite order dated 08.11.2019 in CWP No.24412 of 2011, directing modified *sanad taksim* to be issued as per the terms of compromise entered into between the parties within 02 months, needful has not been done, till date, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971 for violation of order dated 08.11.2019.

3. Issue 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 08.11.2019, in CWP No.24412 of 2011.

4. Mr. Vivek Chauhan, learned Addl. A.G., Haryana, who is present, accepts notice on behalf of the respondent and on instructions from

the respondent, states that needful could not be done on account of the

relevant file being in the office of the Financial Commissioner, which has been sought for but the same has not been received till date but in case, some time is granted, the relevant file would be obtained and needful done and fresh *sanad taksim* issued to the petitioner in compliance of order dated 08.11.2019.

5. Learned Counsel for the petitioner states that in view of the assurance held out by the respondent through learned State Counsel, he does not press the contempt petition, at this stage and the same may be disposed of, as such, while granting 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 statement of learned counsel, the contempt petition is ***disposed of*** as not pressed at this stage while directing the respondent to issue fresh *sanad taksim* to the petitioner in compliance of order dated 08.11.2019 in CWP No.24412 of 2011 within 03 weeks from today, by taking appropriate steps to obtain the relevant file from the office of the Financial Commissioner.

7. Needless to mention, if the needful is not done within the stipulated period of time, as per the assurance held out by the respondent through learned State Counsel, the petitioner would be at liberty to move an application for revival of the contempt petition.

(B.S. Walia)
Judge

November 25, 2020

'Rajneesh-Amit'