

COCp-2620-2020

Date of Decision: 26.11.2020

Ritu and another ...Petitioners

vs.

Himanshu Garg ...Respondent

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

Present: Mr. Krishan Kumar Thakur, Advocate for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing

due to the outbreak of pandemic Covid-19.

2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971, is for taking action against the respondent for willfully and intentionally disobeying order Annexure P/2 dated 15.09.2020 in CRWP No.7195 of 2020.

3. Learned counsel contends that despite directions having been issued vide order dated 15.09.2020 in CRWP No.7195 of 2020, requiring the Superintendent of Police, Kurukshetra to consider and decide representation dated 07.09.2020 and take appropriate steps to ensure that no harm was caused to the life and liberty of the petitioners, 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 15.09.2020 in CRWP No.7195 of 2020.

4. 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 15.09.2020 in CRWP No.7195 of 2020.

the respondent and on instructions from the respondent states that representation dated 07.09.2020, has not been received in the office of the respondent but in view of representation being available as Annexure P/1 in COCP No.2620-2020, the same would be decided within one week from today and action as warranted in the facts and circumstances of the case would be taken in respect thereto in accordance with law.

6. The same satisfies learned counsel for the petitioners, who states that in view of the assurance held by the respondent through learned Addl. AG, Haryana, he does not press the Contempt Petition and the same may be disposed of as such at this stage while granting liberty to the petitioners 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 statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage while directing the respondent to decide the claim made in representation dated 07.09.2020, within one week from today and depending upon the assessment of threat perception to the petitioners take action if required in respect thereto in accordance with law as may be warranted in the facts and circumstances of the case.

8. Contempt petition disposed of in the aforementioned terms.

(B.S. Walia)
Judge

26.11.2020
'Rajesh-PS'