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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-2676-2020

Date of Decision: 03.12.2020

Shri Kishan

...Petitioner

vs.

Sanjay Joon, IAS

...Respondent

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

Present: Mr. Vinay Kumar Pandey, 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 pandemic Covid-19.
2. Prayer in the petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, is for initiation of proceedings against the respondent for intentional and willful disobedience of order dated 25.09.2020, in CWP No.15455-2020.
3. Learned counsel contends that despite order dated 25.09.2020, in CWP No. 15455-2020, directing the respondent to dispose of the revision petition pending before it in accordance with law, expeditiously, preferably within 20 days of receipt of the order and till such time final order was not passed, to not give effect to the ejectment order, the revision petition has not been decided till date, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971.
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 intentional and willful non-compliance with orders dated 25.09.2020, in CWP No.15455-2020.

5. Mr. Vivek Chauhan, Addl. AG, Haryana, accepts notice on behalf of the respondent and on instructions from the respondent, states that needful could not be done since the record which had been requisitioned in respect thereto from the Deputy Commissioner, Mewat, has not been received till date and the case is now fixed for 17.12.2020 for receipt of record and in case some time is granted, needful would be done, in compliance with order of dated 25.09.2020, in CWP No.15455-2020.

6. The same satisfies learned counsel for the petitioner, who states that in view of the assurance held out by the respondent through learned Counsel for the respondent, he does not press the Contempt Petition and the same may be disposed of as such at this stage while directing the respondent to decide the revision petition in a time bound manner 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. The same is not opposed by learned counsel for the respondent.

8. Accordingly, in the light of 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 revision petition by 7th January, 2021, failing which, the petitioner would be at liberty to move an application for revival of the Contempt Petition, in accordance with law.

03.12.2020

'Rajesh-PS'

(B.S. Walia)
Judge