

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-2673-2020

Date of Decision: 03.12.2020

Parveen Kumar

...Petitioner

vs.

Isha Kamboj

...Respondent

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

Present: Ms. Gurmeet Kaur, Advocate for
Mr. Shokeen Singh Verma, 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 11 and 12 of the Contempt of Courts Act, 1971, is for initiation of proceedings against the respondent for intentional and willful non-compliance of order dated 14.09.2020, in CWP-14364-2020.

3. Learned counsel contends that vide order dated 14.09.2020, in CWP-14364-2020, representation dated 05.09.2020 was directed to be decided within one week from the date of receipt of certified copy of the order, but despite lapse of more than 2½ months, needful has not been done 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 her for intentional and willful non-compliance with orders dated 14.09.2020, in CWP-14364-2020.

behalf of the respondent and on instructions from the respondent, states that representation of the petitioner could not be decided for want of record from the office of the Director, Sainik and Ardsainik Welfare Department, Haryana, but in case some time is granted the record would be obtained expeditiously and decision taken on the representation and the same would be conveyed to the petitioner thereafter.

6. The same satisfies learned counsel for the petitioner, who states that in view of the assurance held out by the respondent through learned State Counsel, 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 representation dated 05.09.2020 and to convey the decision on the same to the petitioner thereafter, 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 State Counsel.

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 take steps to ensure that needful is done within the stipulated period of time by deciding legal notice dated 05.09.2020 within four weeks from today and conveying decision on the same to the petitioner within one week thereafter. Needless to mention, in case the needful is not done within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the Contempt Petition.

(B.S. Walia)
Judge

03.12.2020