

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN-2674-2020

Date of Decision: 03.12.2020

Mamta ...Petitioner

vs.

Pardeep Kumar ...Respondent

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

Present: Mr. S.K. Malik, 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. Prayer in the petition under Sections 11 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 non-compliance with order dated 09.09.2020, in CWP-13989-2020.
3. Learned counsel contends that vide order dated 09.09.2020, CWP-13989-2020 was disposed of by directing the respondent to take a decision on legal notice dated 16.07.2020 within two months from the date of receipt of certified copy of the order, but despite lapse of aforementioned period of time, needful has not been done, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971, for intentional and willful non-compliance with order dated 09.09.2020, in CWP-13989-2020.

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 willful and intentional non-compliance with orders dated 09.09.2020, in CWP-13989-2020.

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 due to circumstances prevailing on account of Corona Virus Pandemic but in case two weeks time is granted, needful would be done and the decision taken on the legal notice would be conveyed to the petitioner within a period of one week thereafter.

6. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the Contempt Petition and the same may be disposed of as such at this stage while directing the respondent to adhere to the assurance and to decide the claim made in the legal notice dated 16.07.2020, 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 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 the legal notice dated 16.07.2020, in accordance with law within two weeks from today and to convey the decision 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
'Rajesh-PS'

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