

COCP-2670-2020

Date of Decision: 03.12.2020

Ranjeet Singh

...Petitioner

vs.

Puneet Goyal

...Respondent

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

Present: Mr. Sherry K. Singla, 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 Section 12 and 14 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 intentionally and willfully not complying with order dated 30.09.2020, in CWP-15828-2020.

3. Learned counsel contends that vide order Annexure P/1 dated 30.09.2020, CWP-15828-2020 was disposed of by directing the competent authority to take a decision on representation dated 24.09.2020 by passing a detailed speaking order, within one month from the date of receipt of certified copy of the order and in case the petitioner's claim was found to be justified, to reinstate him in service immediately and treat him not to have superannuated on 30.09.2020 but despite lapse of the stipulated 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 violation of order dated 30.09.2020, in CWP-15828-2020.

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

CWP-15828-2020.

5. Ms. Sunint Kaur, learned AAG, Punjab, accepts notice on behalf of the respondent and on instructions from the respondent, states that the matter is under process and in case some time is granted, the needful would be done by taking a decision on the claim of the petitioner in terms of order dated 30.09.2020, in CWP-15828-2020 besides taking follow up action as may be warranted.

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 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 a decision on representation dated 24.09.2020 and follow up action as warranted, within four weeks from today. 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