

COCN No.2692-2020

Date of Decision: 04.12.2020

Jai Kumar

...Petitioner

vs.

Sh. Bharat Bhushan Bharti

...Respondents

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

Present: Ms. Mahima Dogra, 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 Section 11 & 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondent for intentionally and willfully disobeying order Annexure P-1 dated 20.07.2020 in CWP No.10131 of 2020.
3. Learned counsel contends that vide order dated 20.07.2020, CWP No.10131 of 2020 was disposed of by directing decision to be taken on the representation submitted by the petitioner but despite lapse of stipulated period of time, needful has intentionally and willfully 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 him for violation of order dated 20.07.2020, in CWP No.10131 of 2020.
5. Mr. Vivek Chauhan, learned Addl. A.G. Harana, accepts notice on

behalf of the respondent and on instructions from the respondent states that the needful could not be done due to cases of corona virus infection in the office of the respondent as also the relevant file not being readily available but in case some time is granted, the file would be got traced out and needful done.

6. The same satisfies learned counsel for the petitioner, who states that in view of the assurance held out by the respondent through the learned Addl. A.G. Haryana, he does not press the Contempt Petition at this stage and the same may be disposed of as such while directing the respondent to adhere to the assurance and to decide the representation submitted by the petitioner 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.

8. Accordingly, in view 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 representation submitted by the petitioner within two weeks from today and to convey the decision taken 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

December 04, 2020

'PS-Amit'

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