

COCP No.4 of 2021

Date of Decision : 28.01.2021

Jagdish Lal

...Petitioner

Versus

T.V.S.N Prasad, IAS and another

....Respondents

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

Present : Mr.Sukhdeep Singh, 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. Learned counsel contends that despite order dated 21.07.2020, directing the Additional Chief Secretary, Department of Finance, Haryana, as also the Director, Social Justice and Empowerment, Haryana, to look into the matter, and dispose of representation dated 03.02.2020 and 18.02.2020 in accordance with law, by passing a speaking order within 03 months from the date of receipt of a copy of the order, needful has not been done, till date, despite repeated representations, therefore, the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of order dated 21.07.2020 in CWP No.10338 of 2020.

3. Issue notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against them for intentional and willful defiance of order dated 21.07.2020 in CWP No.10338 of 2020.

4. Mr. Vivek Chauhan, Addl. A.G., Haryana accepts notice on behalf of the respondents and on instructions from respondent No.2 states that representations of the petitioner were considered and decided and although no speaking order has been passed, yet out of the 04 claims

raised by the petitioner, 03 have been allowed, while the 04th claim has been rejected and a payment of Rs.23,000/- has been made to the petitioner and in case, 02 weeks' time is granted, a speaking order would also be passed and conveyed to the petitioner within a period of 01 week, thereafter.

5. 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 respondents to pass a speaking order in respect of the claim made in the representations and to convey the same to 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.

6. Accordingly, in view of the position noted above, as well as statement of learned counsel or the petitioner, the contempt petition is ***disposed of*** as not pressed at this stage, while directing the respondents to convey speaking orders on representations dated 03.02.2020 and 18.02.2020 to the petitioner within 03 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

January 28, 2021

'Rajneesh'

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