

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

COCP-52-2021

Date of Decision:11.01.2021

Surjit Singh and others

...Petitioners

vs.

Smt. Sonali Giri, IAS and another

...Respondents

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

Present: Mr. H.K. Brinda, Advocate for the petitioners.

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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 of the Contempt of Courts Act, 1971, is for initiating proceedings against the respondents for intentional and willful defiance of order Annexure P/1 dated 07.10.2020 in CWP No.16362 of 2020.

3. Learned counsel contends that vide order Annexure P/1 dated 07.10.2020, CWP No.16362 of 2020 was disposed of by directing the Deputy Commissioner, Rupnagar and District Development and Panchayat Officer, Rupnagar, District Rupnagar to consider and decide legal notice dated 10.07.2020 within 45 days from 07.10.2020 and if the averments / assertions made in the said legal notice were found to be correct, to take action in accordance with law against the erring officials including Amandeep Singh, Sapranich within a further period of one month but despite lapse of the aforementioned period of time and repeated requests, needful has not been done, therefore, the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of order dated 07.10.2020 in CWP No.16362 of 2020.

4. 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 non-compliance with orders dated 07.10.2020 in CWP No.16362 of 2020.

5. Mr. Aditya Sharda, AAG, Punjab, accepts notice on behalf of the respondents and on instructions from respondent No.2 states that needful could not be done on account of pendency of enquiry but now the same has been concluded and in case two weeks time is granted, needful would be done in terms of order dated 07.10.2020 in CWP No.16362 of 2020.

6. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the contempt petition at this stage and the same may be disposed of as such while directing the respondents to take action in terms of order dated 07.10.2020 in CWP No.16362 of 2020 in a time bound manner while granting liberty to the petitioners to move an application for revival of the contempt petition, if the circumstances of the case so warrant.

7. Accordingly, in the light of the position as noted above and statement of learned counsel for the petitioners, the contempt petition is disposed of as not pressed at this stage while directing the respondents to consider and decide legal notice dated 10.07.2020 within two weeks from today and in case the averments / assertions made in the legal notice are found to be correct, action in accordance with law be taken against the erring officials including Amandeep Singh, Sarpanch within a further period of two weeks. Needless to mention in case the needful is not done within the stipulated period of time, the petitioners would be at liberty to move an application for revival of the contempt petition.

**(B.S. Walia)**  
**Judge**

January 11, 2021

*'Rajesh-PS'*

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