

COCN No.94 of 2021

Date of Decision : 14.01.2021

Dharambir

...Petitioner

Versus

Kailash, R.F.O. and another

....Respondents

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

Present : Mr.BhupanderGhanghas, 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 (Annexure P-1) dated 31.01.2020, allowing the writ petition and holding the petitioner entitled to regularization as per the 1996 policy along with consequential benefits and cost of Rs.50,000/- with needful be done within 03 months from the date of receipt of certified copy of the order, needful has not been done, till date, despite repeated representations and lapse of the aforementioned period of time, therefore the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of order dated 31.01.2020 in CWP No.6138 of 2016.

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

4. Mr. Vivek Chauhan, learned Addl. A.G., Haryana, accepts notice on behalf of the respondents and informs that operation of judgment (Annexure P-1) dated 31.01.2020 has been stayed by Hon'ble the Division Bench vide order dated 08.01.2021 in LPA No.18 of 2021, till the next date i.e. 03.02.2021, while issuing notice on the application for condonation of delay.

5. Faced with the aforementioned situation, learned counsel for the petitioner states that he does not press the contempt petition, at this stage and the same may be disposed of, as such, while granting liberty to the petitioner to move an application for revival of the contempt petition, in case of vacation of stay of operation of judgment (Annexure P-1) or decision of LPA in his favour whichever is earlier.

6. In view of the position as noted above, as well as statement of learned counsel for the petitioner, the contempt petition is ***disposed of***, as not pressed, at this stage, with liberty to the petitioner to move an application for revival of the contempt petition, if the circumstances of the case, so warrant.

(B.S. Walia)
Judge

January 14, 2021

'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>