

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-106-2021 (O&M)
Date of Decision: 15.01.2021.

Ram Niwas

...Petitioner

vs.

Sanjeev Kumar

...Respondent

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

Present: Mr. Ranjit Saini, 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 15.10.2020 in CWP-17202-2020, passed on the statement of learned Addl.A.G Haryana that departmental proceedings pending against the petitioner would be finalized in accordance with law within two months and final decision taken thereon would be conveyed to the petitioner, needful has not been done despite lapse of stipulated period of time, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971, for intentional and willful defiance of order dated 15.10.2020 in CWP-17202-2020.

3. 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 non-compliance with orders dated 15.10.2020 in CWP-17202-2020.

4. Mr. Vivek Chauhan, Addl. AG, Haryana, accepts notice on

behalf of the respondent and states that order dated 15.10.2020

inCWP-17202-2020, could not be complied with on account of the Enquiry Officer having suffered serious injuries resulting in her being bed ridden but in case some time is granted, needful would be done and decision taken conveyed to the petitioner.

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 respondent to ensure completion of enquiry in a time bound manner as also 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 position as noted above as well as 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 ensure completion of the departmental enquiry against the petitioner within four weeks from today and to communicate the decision taken on the report of the Enquiry Officer within a period of one week thereafter. However, 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

15.01.2021
'Rajesh-PS'

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