

COCP No.138 of 2021
Date of Decision : 21.01.2021

Bharat Bhushan

...Petitioner

Versus

Vinay Singh

....Respondent

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

Present : Mr. Chanderhas Yadav, 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 11.09.2020 in CWP No.14153 of 2020 to decide legal notice dated 29.04.2020 by passing a speaking order after affording opportunity of hearing to the petitioner within 03 months from the date of receipt of certified copy of the order, needful has not been done, despite lapse of aforementioned period of time besides repeated representations.
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 intentional and willful defiance of order dated 11.09.2020 in CWP No.14153 of 2020.
4. Mr. Deepak Sabherwal, Advocate accepts notice on behalf of the respondent and on instructions from the respondent states that needful

could not be done on account of circumstances prevailing due to Corona Virus Pandemic but in case, 03 weeks' time is granted, needful would be done and decision taken on the claim, as made in legal notice dated 29.04.2020 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, while directing the respondent to decide the claim made in legal notice dated 29.04.2020, as per assurance held out through learned counsel after giving opportunity of hearing to the petitioner.

6. Learned counsel for the respondent states that date for grant of personal hearing by the respondent be fixed by this Court.

7. Accordingly, in the light of statement of learned counsel for the parties, the contempt petition is ***disposed of*** as not pressed, while directing the respondent to decide the claim made in legal notice dated 29.04.2020, within four weeks from today after giving opportunity of personal hearing to the petitioner on 01.02.2021 at 11.00 A.M.

8. Needless to mention, in case if for some unforeseen reasons, opportunity of personal hearing is not feasible on 01.02.2021, a fresh date for personal hearing be intimated to the petitioner in writing against acknowledgement and the claim, as made in legal notice dated 29.04.2020 be decided within four weeks from today in terms of order dated 11.09.2020 in CWP No.14153 of 2020 and decision taken on the claim be conveyed to the petitioner within one week thereafter. Needless to

petitioner would be at liberty to move an application for revival of the Contempt petition.

(B.S. Walia)
Judge

January 21, 2021
'Rajneesh'

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