

COCP-114-2021

Date of Decision: 18.01.2021.

Jagtar Singh

...Petitioner

vs.

Krishan Kumar and another

...Respondents

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

Present: Mr. Rakesh Sobti, 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 CWP-23398-2019, having been disposed of vide order dated 29.08.2019, by directing the respondents to objectively consider and decide legal notice dated 27.03.2019, within three months from the date of receipt of certified copy of the order, needful has not been done despite repeated representations, therefore, respondent No.1 is liable to be proceeded against under the Contempt of Courts Act, 1971, for intentional and willful defiance of orders dated 29.08.2019 in CWP No. 23398-2019.

3. Issue notice to respondent No.1 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 orders dated 29.08.2019, in CWP-23398-2019.

4. Ms. Deepali Puri, Addl. AG, Punjab, accepts notice on behalf of respondent No.1 and on instructions from respondent No.1, states that there were seventy two petitioners in CWP-23398-2019, and the legal notice could not be decided on account of correct particulars

granted, needful would be done in view of receipt of correct particulars via the instant petition.

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 respondent No.1 to adhere to the assurance held out by him through learned State Counsel and to decide the claim made in the legal notice 27.03.2019, within four weeks from today.

6. Accordingly, in view of the position noted above as well as statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage while directing respondent No.1 to adhere to the assurance held out by him through learned State Counsel and to decide the claim made in legal notice dated 27.03.2019, within four weeks from today and to convey the decision taken thereon to the petitioner within 10 days thereafter. 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

18.01.2021
'Rajesh-PS'

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