

COCP No.139 of 2021
Date of Decision : 21.01.2021

Manjit Singh ...Petitioner

Versus

Prem Kumar and othersRespondents

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

Present : Mr. Rai Singh Chauhan, 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 vide order dated 28.02.2020, notice of motion was issued in CRM No.8849 of 2020 for 12.05.2020 and the learned trial Court was directed to adjourn the case beyond the date fixed before this Court whereafter hearing of the case was adjourned from time to time while directing continuation of the interim orders till the next date of hearing.

4. Learned counsel contends that vide order (Annexure P-9), the case of the petitioner, which was listed for hearing on 01.12.2020 was adjourned to 03.03.2021 and the interim order continued but despite orders (Annexures P-6 to P-9) having been brought to the notice of the learned trial Court, the learned trial Court, in intentional and willful

defiance of orders, as referred to above, is hearing the case, as is evident from order dated 12.01.2021, therefore, is liable to be proceeded against under the Contempt of Courts Act, 1971.

5. On query, learned counsel for the petitioner has failed to produce any application moved before the learned Principal Judge, Family Court, Gurdaspur placing orders Annexures P-6 to P-9 before the learned Principal Judge, Family Court, Gurdaspur.

6. In the circumstances, it is deemed appropriate to dispose of the contempt petition by granting liberty to the petitioner to move an application before the learned Principal Judge, Family Court, Gurdaspur, placing orders (Anenxures P-6 to P-9) on record, as also the date of hearing of the case before this Court for taking appropriate action in terms thereof.

7. Contempt petition ***disposed of***, as above.

(B.S. Walia)
Judge

January 21, 2021

'Rajneesh'

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