

COCP-181-2021

Date of Decision : 27.01.2021

Kamlesh

...Petitioner

Versus

Shri J. Ganesan and another

....Respondents

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

Present : Mr. Ravinder Malik (Ravi), 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 19.10.2020, in CWP-18011-2020, directing the competent authority to consider the writ petition as a representation and decide the same within two months from the date of receipt of certified copy of the order, needful has not been done till date, despite submission of certified copy of the order, lapse of stipulated period of time besides 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 order dated 19.10.2020, in CWP-18011-2020.
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 order dated 19.10.2020, in CWP-18011-2020.
4. Mr. Vivek Chauhan, Addl. AG, Haryana, accepts notice on

states that the order has been prepared and is only to be signed and issued for which he prays for one weeks time.

5. Faced with the aforementioned situation, learned counsel for the petitioner states that in the circumstances he does not press the Contempt Petition in view of assurance of respondent No.1 held out through the learned State counsel to pass and issue orders on the claim of the petitioner within one week from today.

6. Accordingly, in the light of the position as 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 decide the claim of the petitioners by treating the writ petition as a representation within one week from today and to convey the decision taken thereon to the petitioner within one week thereafter.

7. 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.

January 27, 2021
'rajesh'

(B.S. Walia)
Judge

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