

COCp-324-2021

Date of Decision: 10.02.2021.

Koshpati Dhawan and others

...Petitioners

vs.

Ajoy Kumar Sinha and others

...Respondents

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

Present: Mr. Raghav Gulati, Advocate for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Learned counsel contends that despite order dated 27.08.2020, in CWP-12891-2020, directing respondent No.1 to decide the legal notice dated 12.06.2020, by passing a speaking order within six weeks from the date of receipt of certified copy of the order and in case of finding the petitioners entitled to any monetary benefits, to release the same to them, within a period of three months thereafter, needful has not been done till date, despite supply of certified copy of the order and 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 27.08.2020, in CWP-12891-2020.

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 non-compliance with orders of dated 27.08.2020, in CWP-12891-2020.

4. Mr. Aditya Sharda, AAG, Punjab, accepts notice on behalf of respondent No.1 and on instructions from respondent No.1 states that needful could not be done on account of circumstances prevailing due to Corona Virus pandemic, but in case three weeks time is granted, needful would be done and decision taken on the claim of the petitioners would also be communicated to them.

5. The same satisfies learned counsel for the petitioners, 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 the learned AAG, Punjab and to decide the claim of the petitioners in a time bound manner while granting liberty to the petitioners to move an application for revival of the Contempt Petition, if the circumstances of the case, so warrant.

6. Accordingly, in view 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 adhere to the assurance held out by him through learned AAG, Punjab, and to decide the claim of the petitioners in terms of orders dated 27.08.2020, in CWP-12891-2020, within three weeks from today and to convey the decision taken to each of the petitioners within ten days thereafter and further in case of finding the petitioners entitled to any relief as claimed, to release the same to them within a period of four

weeks from the date of decision. Needless to mention, in case the needful is not done within the stipulated period of time, the petitioners would be at liberty to move an application for revival of the Contempt Petition.

(B.S. Walia)
Judge

10.02.2021.
'Rajesh-PS'

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