

COCP-351-2021

Date of Decision : 16.09.2021

Residents Welfare Association

...Petitioner

Versus

Sh. Vinay Singh, Chief Administrator HSVP

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Ram Kumar Saini, Advocate for the petitioner.
Mr. Deepak Sabharwal, Advocate for the respondent.**B.S. Walia, J. (VC)**

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 read with Article 15 of the Constitution of India is for initiating action against the respondent for intentionally and willfully disobeying order, Annexure P/1 dated 20.01.2020 in CWP No.29623 of 2017.
3. Learned counsel contends that vide order dated 20.01.2020, CWP No.29623 of 2017 was disposed of in terms of order passed in CWP No.1190 of 2018 in case titled as Kuldeep Singh and another vs. State of Haryana and others as per which the petitioner was allowed to submit a fresh representation within two weeks and on receipt, the same was to be decided within four months thereafter.
4. Although, notice has not been issued in the instant case, yet Mr. Deepak Sabharwal, learned counsel has put in appearance on behalf of the respondent and states that a policy has been framed on the basis of report submitted by the Committee of three retired Hon'ble Judges of this

Court which was constituted by the Government to go into the issue and in view thereof, the representation submitted by the petitioner, would be considered and decided in terms of the said Policy.

5. Learned counsel for the petitioner states that in the circumstances, he does not press the contempt petition and the same may be disposed of while directing grant of opportunity of hearing to the petitioner before deciding the representation in a time bound manner.

6. Accordingly, in the light of the position noted above and in view of the statement of learned counsel for the parties, the instant petition is disposed of as not calling for any orders under the Contempt of Courts Act, 1971 while directing the respondent to place the representation, Annexure P/2 submitted by the petitioner before the competent authority for decision in accordance with law after giving opportunity of hearing to the petitioner within two weeks from the date of receipt of certified copy of the order. 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

16.09.2021

‘Amit’

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