

COCP No.409 of 2021

Date of Decision : 08.09.2021

Manish Mahajan

...Petitioner

Versus

Avneesh Kumar and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. B.D. Sharma, Advocate for the petitioner.
Mr. Aditya Sharda, Asstt. A.G., Punjab.

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 Sections 10 & 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondents for intentional and willful defiance of order (Annexure P-1) dated 02.12.2020 in CWP-PIL No.181 of 2020 in case titled as '**Manish Mahajan** versus **State of Punjab and others.**'
3. Learned counsel for the petitioner contends that vide order Annexure P-1 dated 02.12.2020, CWP-PIL No.181 of 2020 was disposed of in view of the statement of learned State Counsel that representation dated 08.10.2020 submitted by the petitioner would be considered and dealt with in accordance with law expeditiously by respondent No.2 and decision in respect thereto would be communicated to the petitioner and on failure of the needful to be done, the instant petition was filed but now respondent No.1 has conveyed speaking order dated 15.03.2021, deciding the representation dated 08.10.2020 submitted by the petitioner.

4. Copy of speaking order dated 15.03.2021 filed by the learned State Counsel is taken on record. Copy thereof supplied to learned counsel for the petitioner, who states that in view of the circumstances, he does not press the instant petition and may be permitted to withdraw the same with liberty to challenge order dated 15.03.2021 by way of appropriate proceedings in accordance with law.

5. In view of order dated 15.03.2021 having been passed by respondent No.1 in compliance of order dated 02.12.2020 in CWP-PIL No.181 of 2020, no action under the Contempt of Courts Act, 1971 is called for against respondent No.1.

6. Accordingly, contempt petition is disposed of as not calling for any action against respondent No. 1 while granting liberty to the petitioner to challenge order dated 15.03.2021 by way of appropriate proceedings in accordance with law.

7. *Rule discharged.*

(B.S. Walia)
Judge

08.09.2021

'Rajneesh/Amit'

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