

COCp-476-2021

Date of Decision: 23.02.2021

Dharam Singh and others

...Petitioners

vs.

Rajesh Tohana

...Respondent

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

Present: Mr. Rajender Singh Malik, 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 29.01.2021, in CWP-2068-2021, directing the respondent-Block Development and Panchayat Officer, Block Rai, District Sonapat, to look into the representation / complaint submitted by the petitioner, within ten days from the date of receipt of certified copy of the order, needful has not been done, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971, for intentional and willful defiance of order dated 29.01.2021, in CWP-2068-2021.
3. Issue notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for non-compliance with orders dated 29.01.2021, in CWP-2068-2021

behalf of the respondent and on instructions from the respondent states that needful could not be done on account of administrative exigencies, but in case one week's time is granted, needful would be done qua the representation / complaint of the petitioners and decision taken thereon would be communicated to the petitioners within three days thereafter.

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 with directions to the respondent to adhere to the assurance held out by him through Addl. AG, Haryana, and to decide the representation / complaint submitted by the petitioners, within one week from today and to supply a copy of the decision taken on the same within a period of three days thereafter while granting liberty to the petitioner 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 the respondent to adhere to the assurance held out by him through learned Addl. AG, Haryana, and to decide the claim made in the representation / complaint submitted by the petitioners within one week positively from today and to convey a decision taken thereon to the petitioner within three days thereafter. 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. In the eventuality of an application for revival of the Contempt Petition being moved on account of non-decision of

the claim of the petitioner made in representation / complaint, within the stipulated period of time, serious view would be taken.

(B.S. Walia)
Judge

23.02.2021
'Rajesh'

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