

COC-495-2021

Date of Decision: 25.02.2021.

Imrat and others

...Petitioners

vs.

Sh. Sham Lal Punia, IAS, Collector
Sonepat, District Sonepat

...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 20.05.2019 in CWP No.22294 of 2018 directing the Collector, Sonepat to take steps to expedite the conclusion of the pending title suit and decide the same preferably within one year from the date of the order, needful has not been taken till date despite lapse of sufficient period of time, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of the aforementioned order.

3. Issue notice to the respondent 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 20.05.2019 in CWP No.22294 of 2018

4. Mr. Vivek Chauhan, Addl.A.G. Haryana, accepts notice on behalf of the respondent and on instructions from the respondent states that needful could not be done due to administrative exigencies as well as

conditions prevailing due to Corona Virus pandemic, but now the case is

listed for final arguments on 01.04.2021 and in case some time is granted, needful would be done and orders of Hon'ble Division Bench dated 20.05.2019 complied with, after the hearing on 01.04.201.

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 the respondent to comply with the order of Hon'ble the Division Bench dated 20.05.2019 in CWP No.22294 of 2018 and decide the title suit in a time bound manner.

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 the learned State counsel and to decide the pending title suit after the conclusion of the arguments on 01.04.2021 within three weeks 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 and in the eventuality of an application for revival being moved, a serious view of the matter would be taken.

(B.S. Walia)
Judge

25.02.2021.

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