

COCP No.487 of 2021
Date of Decision : 24.02.2021

Niranjan Singh

...Petitioner

Versus

Amitabh Singh Dhillon and another

....Respondents

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

Present : Mr. Bhupinder Ghai, Advocate for the petitioner.

Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

1. Learned counsel contends that despite appeal having been filed in terms of liberty granted vide order dated 06.01.2021 in CM No.14212 of 2020 in/and CWP No.20135 of 2020, the same has not been decided within the stipulated period of time, therefore, respondent No.2 is liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of order dated 06.01.2021 in CM No.14212 of 2020 in/and CWP No.20135 of 2020.

2. Issue notice to respondent No.2 to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for intentional and willful defiance of order dated 06.01.2021 in CM No.14212 of 2020 in/and CWP No.20135 of 2020.

3. Mr. Pawan Kumar Longia, learned DAG, Haryana accepts notice on behalf of respondent No.2 and on instructions from respondent

No.2 states that respondent No.2 joined as Director of Mines & Geology

Department, Haryana recently, therefore, in case some time is granted, the appeal would be decided.

4. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the contempt petition at this stage and the same may be disposed of as such, while directing respondent No.2 to adhere to the assurance made by him through learned State counsel and to decide the appeal in a time bound manner.

5. In view of the statement of learned counsel for the parties, the contempt petition is ***disposed of*** as not pressed at this stage, while directing respondent No.2 to adhere to the assurance made by him through learned State Counsel and to decide the appeal within two weeks from today. However, 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. Needless to mention, in case the needful is not done within the stipulated period of time, a serious view would be taken in the matter, in the eventuality of the petitioner filing an application for revival of the contempt petition.

(B.S. Walia)
Judge

February 24, 2021
'Rajneesh/Amit'

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