

CM-6756-CII-2021 IN/AND
COCF-700-2020
Date of Decision: 18.08.2021.

SUDHA SINGLA

...Petitioner

vs.

RAMVIR SINGH

...Respondent

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

Present: Mr. P.S.Rana, Advocate for the applicant-petitioner.

B.S. Walia, J. (VC)**CM-6756-CII-2021**

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Notice of the application to the learned counsel for the non-applicant/respondent.
3. Ms. Priyanka Dalal, Advocate for the non-applicant/respondent accepts notice and states that she has no objection to the prayer for preponement or for permission to withdraw the instant petition.
4. For the reasons, as are mentioned in the application the same is allowed. Date of hearing or the main case is postponed from 22.11.2021 to today itself and with the consent of learned counsel for the parties, main case is taken on board for hearing.

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5. Prayer in the instant petition is for initiating proceedings under the Contempt of Courts Act, 1971 against the respondents for intentionally and willfully disobeying order dated 06.12.2019 in CWP No. 35484-2019.
6. Learned counsel contends that vide order dated 06.12.2019, CWP No. 35484-2019 was disposed of by directing the respondent to consider the petitioner's representation and take appropriate action in

respect thereto for release of rental dues, if any, expeditiously and in any event not later than two weeks from the date of receipt of certified copy of the order. Learned counsel contends that on account of failure of the respondent to do the needful, the instant petition was filed but now the respondent has released the payment due to the petitioner as per his entitlement, therefore, the petitioner is not interested in pursuing the contempt petition and the same may be permitted to be withdrawn.

7. Learned counsel for the respondent also states that in view of the claim of the petitioner having been accepted and payment as per entitlement been released to the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondent especially in view of the fact that the claim of the petitioner for release of payment due to him on account of rental dues could not be decided earlier due to Corona Virus Pandemic.

8. I have considered the submissions of the learned counsel for the parties.

9. In view of the stand of the respondent that payment on account of rental dues could not be released due to conditions prevailing on account of coronavirus but now the same have been released to the petitioner as per his entitlement, action under the Contempt of Courts Act, 1971 is not called for against the respondent. Accordingly, the contempt petition is disposed of as such.

10. Rule discharged.

(B.S. Walia)
Judge

18.08.2021

'Rajesh'

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