

COCp-870-2021

Date of Decision: 07.04.2021

Ritu Garg

...Petitioner

vs.

Mahavir Singh and anr.

...Respondents

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

Present: Mr.Parth Goyal, Advocate for the petitioner.

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 02.02.2021 in CWP No.2328 of 2021 directing the respondent-Competent Authority to consider the Legal Notice dated 09.01.2021 and decide the same in accordance with law within 1 month from the date of receipt of certified copy of the order, needful has not been done till date, therefore respondent No.1 is liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of order dated 02.02.2021 in CWP No.2328 of 2021.

3. Issue notice to respondent No.1 to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for non-compliance with the orders of this Court as referred to above.

4. Mr. Vivek Chauhan, Addl.A.G., Haryana, accepts notice on behalf of respondent No.1 and states that the matter is under process and

in case some time is granted, decision would be taken on the claim made in the legal notice and decision thereof would also be supplied to learned counsel for the petitioner.

5. The same satisfies learned counsel for the petitioner, 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 respondent No.1 to consider and decision the claim made in the legal notice submitted by the petitioner in a time bound manner.

6. Accordingly, in view of the position as noted above, circumstances prevailing on account of coronavirus pandemic as well as statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage while directing respondent No.1 to decide the claim made in legal notice within two weeks from date of receipt of certified copy of this order and to furnish copy of the decision to the petitioner within a period of one week thereafter.

7. Needless to mention, in case the needful is not done within the stipulated period of time, and an application for revival of the Contempt Petition is filed, serious view would be taken in the matter.

(B.S. Walia)
Judge

April 07, 2021.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No