

COCN No.1035 of 2021

Date of Decision : 06.05.2021

Ravan Kumari

...Petitioner

Versus

Ajit Balaji Joshi, IAS and another

....Respondents

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

Present : Mr. Gaurav Bakshi, 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. Prayer in the petition under Sections 11 & 12 of the Contempt of Courts Act, 1971 read with Section 151 CPC is for initiating appropriate action against the respondents for intentional and willful non-compliance of order (Annexure P-1) dated 08.01.2021 in CWP No.368 of 2021.

3. Learned counsel contends that vide order dated 08.01.2021 in CWP No.368 of 2021, the Chief Administrator, Haryana Shehri Vikas Pradhikaran, Sector 6, Panchkula, was directed to consider and decide representations dated 08.10.2020 & 01.12.2020 respectively filed by the petitioner, in accordance with law within 08 weeks from the date of receipt of certified copy of the judgment, but till date, the same have not been decided, therefore, respondent No.1 is liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of orders dated 08.01.2021 in CWP No.368 of 2021.

4. 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 intentional and willful defiance of order dated 08.01.2021 in

CWP No.368 of 2021.

5. Mr. Rajesh K. Sheoran, learned counsel, accepts notice, puts in appearance on behalf of respondent No.1 and states that opportunity of personal hearing was given by respondent No.1 to the petitioner on 18.02.2021 but orders could not be passed on account of respondent No.1 having fallen ill due to Corona Virus infection but now he has rejoined duty after recovery and in case some time is granted, decision would be taken on the aforementioned representations and orders passed conveyed to the petitioner within such time, as is granted by this Court.

6. Accordingly, in view of the position as noted above, no case is made out for initiating contempt proceedings against respondent No. 1 and the petition is disposed of by granting liberty to respondent No.1 to consider and decide representations dated 08.10.2020 and 01.12.2020 respectively and convey the decision in respect thereto to the petitioner within 02 weeks from today.

7. Petition stands *disposed of* with the aforementioned directions. 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.

(B.S. Walia)
Judge

06.05.2021

'Rajneesh/Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>