

(1)

COCP-1087-2021

Date of Decision: 26.08.2021.

Shivdev Singh &Anr.

...Petitioners

vs.

KAP Sinha and Anr.

...Respondents

(2)

COCP-1134-2021

Date of Decision: 26.08.2021.

Shivani Bhargava

...Petitioner

vs.

KAP Sinha and Anr.

...Respondents

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

Present: Mr. J.S. Gill, Advocate
for the petitioners in COCP-1087-2021.Mr. Kanwal Goyal, Advocate
for the petitioner in COCP-1134-2021.

Ms. Anu Chatrath, Addl. A.G. Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. This order shall decide COCP-1087-2021 and COCP-1134-2021 as the same arise out of the decision dated 22.02.2021 in CWP No.12367 of 2020. Facts are being taken from COCP No.1087 of 2021.

3. Prayer in the petition is for initiating action against the respondents for intentionally and willfully disobeying order dated 22.02.2021 in CWP No.12367 of 2020.

4. Learned counsel contends that vide order dated 22.02.2021, CWP No.12367 of 2020 was allowed, order dated 01.12.2020 which

was passed during the pendency of the writ petition was quashed and the respondents were directed to notify the appointment of the petitioners within two months from the date of receipt of certified copy of the order subject to compliance of the rules applicable regarding verification of the antecedents of the petitioners etc. Learned counsel contends that on failure of the respondents to comply with the order as referred to above within the stipulated period of time, the instant contempt petitions were filed but now the claim of the petitioners has been accepted in terms of order dated 22.02.2021 in CWP No.12367 of 2020 and the petitioners have been given appointment, therefore, they are not interested in pursuing the contempt petitions and the same may be disposed of as such.

5. Learned Addl. A.G. Punjab, on the other hand, contends that the respondents had filed LPA No.541 of 2021, but the same was dismissed vide order dated 22.07.2021, and that in the circumstances the respondents thereafter, forthwith complied with order dated 22.02.2021, in CWP No.12367 of 2020 and also tender unconditionally apology for not complying with the order of the Writ Court within the stipulated period of time.

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

7. Admittedly, orders of Hon'ble the Writ Court dated 22.02.2021, were required to be complied within two months from the date of receipt of certified copy of the order but the said order was not complied within the stipulated period of time but shortly thereafter, on account of the respondents in the meantime, having availed of their remedy of filing an

appeal and complying with the orders of the Writ Court dated 22.02.2021 on dismissal of the LPA. The respondents have also tendered unconditional apology through learned State counsel. In the circumstances, unconditional apology tendered by the respondents is accepted and contempt petitions are disposed of as not calling for any further orders.

8. Rule discharged.

(B.S. Walia)
Judge

26.08.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No