

[105]

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM Nos.5328 & 5335-CII of 2021 and
COCP No.1386 of 2019 (O&M)

Date of decision: 08.07.2021

Radha Thakur

.... Petitioner

Versus

D. Suresh and another

.... Respondents

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

Present : Mr. Vineet Sehgal, Advocate for the petitioner.
Mr. Priyavgrat Prashar, Advocate for the respondents.

B.S. Walia, J. (VC)

Case is being taken up for hearing through Video

Conferencing due to Covid-19 pandemic.

CM No.5328-CII of 2021

Notice of the application to the counsel for the non-applicants /
respondents.

Learned counsel for the respondents accepts notice and states
that he has no objection to the prayer for preponement.

For the reasons as are mentioned in the application as well as in
view of the statement of learned counsel for the respondents, the application
is allowed. Date of hearing of the main case is preponed from 26.10.2021 to
today itself and with the consent of learned counsel for the parties, the main
case is taken up for hearing today itself.

CM Nos.5335-II of 2021 and
COCP No.1386 of 2019 (O&M)

[1] Learned counsel for the respondents has filed reply. The same is taken on record and copy thereof supplied to learned counsel for the petitioner.

[2] Learned counsel for the petitioner states that in view of order dated 03.08.2018 passed by respondent No.2 in compliance of order dated 26.05.2017 in CWP No.12008 of 2017, copy of which has been supplied to him, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 03.08.2018 passed by respondent No.2 in compliance of order dated 26.05.2017 in CWP No.12008 of 2017.

[3] I have considered the submissions of learned counsel for the parties. In view of order dated 03.08.2018 passed by respondent No.2 there is sufficient compliance of the order dated 26.05.2017 in CWP No.12008 of 2017. Accordingly, no case is made out for taking action against respondent No. 2 under the Contempt of Courts Act, 1971.

[3] In the light of the position noted above, the contempt petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971 while granting liberty to the petitioner to challenge order dated 03.08.2018 passed by respondent No.2 by way of appropriate proceedings in accordance with law.

(B.S. Walia)
Judge

08.07.2021

'Rajneesh/Amit'

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