

COC-1196-2021

Date of Decision:01.07.2021.

Harsh Tewatia

...Petitioner

vs.

Isha Kamboj, Secretary HSSC

...Respondent

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

Present: Mr. Rajat Mor, 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 Section 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondents for intentionally and willfully disobeying order dated 05.03.2021 in CWP No.11219 of 2019.

3. Learned counsel contends that vide order dated 05.03.2021 CWP No.11219 of 2019 was disposed of by directing that in case the petitioner submitted a comprehensive representation within one month from the date of receipt of certified copy of the order, the same may be decided in accordance with law by passing a speaking order expeditiously, preferably within two months from the date of receipt of certified copy of the representation, but despite submission of certified copy of the order as well as representation in March, 2021 itself, no decision was taken on the representation, therefore, the instant petition.

4. Learned counsel for the petitioner further states that after the filing of the contempt petition, the petitioner has today morning been

supplied copy of order dated 15.06.2021 rejecting the claim of the petitioner, therefore, in the circumstances, the petitioner does not wish to prosecute the contempt petition any further and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 15.06.2021 by way of appropriate proceedings in accordance with law.

5. In view of the respondents having passed order dated 15.06.2021 in compliance of order dated 05.03.2021 in CWP No.11219 of 2019 deciding the claim of the petitioner there is sufficient compliance with the order dated 05.03.2021 in CWP No.11219 of 2019, therefore, no action is warranted against the respondents under the Contempt of Courts Act, 1971. Accordingly the petition is disposed of as such while granting liberty to the petitioner as prayed for.

(B.S. Walia)
Judge

01.07.2021.
AY

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