

COCF No.1316 of 2021
Date of Decision : 28.07.2021

Saroj Kumari ...Petitioner

Versus

Mahavir Singh and another ... Respondents

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

Present : Mr. B.K. Bagri, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

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 10 & 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India is for initiating action against the respondents for intentionally and willfully disobeying order (Annexure P-1) dated 10.02.2021 in CWP No.2892 of 2021.
3. Learned counsel for the petitioner contends that vide order (Annexure P-1) dated 10.02.2021 in CWP No.2892 of 2021, the respondents were directed to decide the claim made in the legal notice (Annexure P-10) dated 05.10.2020 within 03 months from the date of receipt of certified copy of the order but till date, needful has not been done, therefore, respondent No.2 is liable to be proceeded against under the Contempt of Courts Act, 1971.

4. Mr. Pawan Kumar Longia, learned DAG, Haryana, accepts notice on behalf of respondent No.2 and has filed copy of order dated 19.07.2021 passed in compliance of order dated 10.02.2021 in CWP No.2892 of 2021. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal of the same states that in the circumstances, the petitioner does not wish to pursue the contempt petition any further and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 19.07.2021 by way of appropriate proceedings, in accordance with law.

5. In view of respondent No.2 having passed order dated 19.07.2021 deciding the claim of the petitioner, there is sufficient compliance with order (Annexure P-1) dated 10.02.2021 in CWP No.2892 of 2021, therefore, no action is warranted against respondent No.2 under the Contempt of Courts Act, 1971. Accordingly, the contempt petition is disposed of as such while granting liberty to the petitioner as prayed for.

6. Rule discharged.

(B.S. Walia)
Judge

28.07.2021

'Rajneesh'

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