

129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-1634-2021

Date of Decision: 09.08.2021

Bhupender Singh

...Petitioner

vs.

Vinay Singh, IAS

...Respondent

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

Present: Mr. S.K. Verma, 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 respondent for intentional and willful defiance of order dated 17.02.2021 in CWP-3706-2021.

3. Learned counsel contends that CWP-3706-2021 filed by the petitioner for directing the respondents to issue license under Category-II i.e. Kacha Artia/Commission Agent for the notified area of Market Committee, Pillukhera (Jind) was disposed of vide order dated 17.02.2021, by directing the competent authority to consider and decide representation dated 15.12.2020, by passing a speaking order within two months from the date of receipt of certified copy of the order and although application along with requisite fee was submitted to the competent authority on 02.07.2021, no decision has been taken on the same till date, therefore, the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971.

4. Issue notice to the respondent to show cause as to why proceedings under the Contempt of Courts Act, 1971, be not initiated

against him.

5. Mr. Sandeep Moudgil, Advocate, accepts notice on behalf of the respondent and has placed on record copy of order dated 08.07.2021, rejecting the representation submitted by the petitioner. 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 and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 08.07.2021, by way of appropriate proceedings, in accordance with law.

6. Learned counsel for the respondent submits that in view of order dated 08.07.2021, having been passed by the respondent pursuant to order of this Court dated 17.02.2021 in CWP-3706-2021, no action under the Contempt of Courts Act, 1971, is called for against the respondent.

7. I have considered the submissions of learned counsel.

8. In view of order dated 08.07.2021, having been passed by the respondent pursuant to order of this Court dated 17.02.2021 in CWP-3706-2021, as well as statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971, is called for against the respondent. The contempt petition is accordingly, disposed of as such.

9. Rule discharged.

(B.S. Walia)
Judge

09.08.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No