

COCP No.1666 of 2021

Date of Decision : 01.10.2021

Piush Kumar

...Petitioner

Versus

Anand Mohan Sharan and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Jai Bhagwan Tobria, Advocate for the petitioner.
Mr. Naveen Kumar Sheoran, 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 instant 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 intentional and willful defiance of order (Annexure P-1) dated 03.02.2021 in CWP No.1019 of 2021.

3. Learned counsel contends that on 03.02.2021, while issuing notice of motion, the competent authority was directed to pass a speaking order in accordance with law qua the claim in legal notice dated 25.08.2020 within 06 weeks and place copy of the order so passed, on the Court file but in view of failure of the respondents to do the needful within the stipulated period of time, the instant petition was filed but now a decision has been taken on the legal notice dated 25.08.2020, therefore,

same may be disposed of as such, while granting liberty to the petitioner to challenge order dated 07.09.2021 by way of appropriate proceedings in accordance with law.

4. In view of the position noted above, decision on the claim in legal notice dated 25.08.2020 as well statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

5. Accordingly, the contempt petition is *disposed of*, as such, while granting liberty to the petitioner to challenge order dated 07.09.2021 by way of appropriate proceedings, in accordance with law.

(B.S. Walia)
Judge

01.10.2021

'Rajneesh'

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