

COCp-1839-2021

Date of decision: 20.09.2021

HARKIRAT SINGH

.... Petitioner

Versus

MANOJ AHUJA, IAS CHAIRMAN

AND ANR

.... Respondents

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

Present : Mr. Pankaj Garg, Advocate for
Mr. Jagjit Singh, Advocate for the petitioner.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating action against the respondent for intentional and willful defiance of order Annexure P/1 dated 20.04.2021 in CWP No.34806 of 2019.

2. Learned counsel contends that vide order dated 20.04.2021, CWP No.34806 of 2019 was disposed of while directing the respondent-Board to decide the claim made in legal notice dated 24.09.2019 within three months from the date of receipt of certified copy of order by passing a speaking order and in case the petitioner was found entitled to the relief as prayed for in the legal notice, the same be accorded to him within one month from passing the date of passing speaking order but on account of failure of the respondents to do the needful, the instant petition was filed.

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

against them.

4. Mr. Kanan Malik, Advocate accepts notice on behalf of the respondents and on instructions from respondent No.2 states that claim of the petitioner as made in legal notice dated 24.09.2019, has been decided vide order dated 27.08.2021 and matriculation certificate containing the correct particulars of the petitioner's father name dispatched to the petitioner on 17.09.2021 and in view thereof, no action is called for under the Contempt of Courts Act, 1971 against the respondents.

5. In view of the position noted above, as well as statement of learned counsel for the respondent, the instant petition is disposed of as not calling for any action under the Contempt of Courts Act, 1971, against the respondents, while granting liberty to the petitioner to move an application for the revival of the contempt petition in case of non-receipt of matriculation certificate by the petitioner with correct particulars.

6. Rule discharged.

(B.S. Walia)
Judge

20.09.2021

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Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No.