

COCN No.2427 of 2020

Date of Decision : 12.01.2021

Balwinder Kaur

...Petitioner

Versus

Krishan Kumar and others

....Respondents

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

Present : Mr. S.P. Soi, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971, is for initiating proceedings against the respondents for intentionally and willfully defying order (Annexure P-1) dated 30.08.2019 in CWP No.23584 of 2019.

3. Learned counsel contends that vide order (Annexure P-1) dated 30.08.2019, the writ petition was disposed of by directing the respondents to objectively consider legal notice dated 03.06.2019, as also the contentions raised in the writ petition and to pass a speaking order in respect thereto, in accordance with law, within a period of 03 months from the date of receipt of certified copy of the order but despite lapse of the aforementioned period of time and repeated representations, needful has not been done, therefore, the respondents are liable to be

and willful defiance of order (Annexure P-1) dated 30.08.2019 in CWP No.23584 of 2019.

4. Issue notice to respondent No.1 only to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for intentional and willful defiance of order (Annexure P-1) dated 30.08.2019 in CWP No.23584 of 2019. .

5. Mr. Aditya Sharda, learned Asstt. A.G., Punjab, accepts notice on behalf of respondent No.1 and has produced copy of order dated 04.12.2020, deciding the claim of the petitioner in terms of order dated 30.08.2019 in CWP No.23584 of 2019. 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, he does not press the contempt petition, and may be permitted to withdraw the same, with liberty to challenge order dated 04.12.2020 by way of appropriate proceedings, in accordance with law.

6. In view of the position noted above, as well as the statement of learned counsel for the petitioner, the contempt petition is dismissed as ***withdrawn***, with the liberty, as prayed for.

(B.S. Walia)
Judge

January 12, 2021
'Rajneesh'

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