

COC-2752-2020

Date of Decision: 21.01.2021.

Sarla Devi and others

...Petitioners

vs.

Manoj Yadav and others

...Respondents

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

Present: Mr. Sahil Gupta, Advocate for the petitioners.

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 Sections 10 and 12 of the Contempt of Courts Act, 1971, read with Article 215 of the Constitution of India is for initiating proceedings against the respondents for intentional and willful disobedience of order Annexure P/1 dated 29.10.2020 in CWP No.11917 of 2020.

3. Learned counsel contends that vide order Annexure P-1 dated 29.10.2020, CWP No.6708 of 2020 and other connected cases were allowed and the respondent-Authorities were directed to include the admissible marks to which the petitioners would be so entitled, for their having undergone relevant computer / Training Courses exceeding duration of 20 weeks in terms of Rule 13.7 (4)(II) (9) of the Punjab Police Rules, 1934, for the purpose of considering their eligibility for the concerned Lower School Course 2018 and in case any of the petitioners were found to have crossed the Bench-mark of 108 Marks, such petitioner be deputed for said Course immediately, if feasible, or otherwise for the very next similar course to follow but the respondents have intentionally

and willfully failed to comply with the aforesaid order, therefore, are liable to be proceeded against under the Contempt of Courts Act, 1971.

4. Issue notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against them for intentional and willful defiance of orders dated 29.10.2020 in CWP No.11917 of 2020.

5. Mr. Vivek Chauhan, Addl. AG, Haryana, accepts notice on behalf of the respondents and states that operation of order Annexure P-1 dated 29.10.2020 in CWP No.11917 of 2020 has been stayed by Hon'ble the Division Bench in LPA No.32/2021 on 13.01.2021 and notice has been issued in the case for 19.05.2021.

6. Faced with the aforementioned position, learned counsel for the petitioners states that he does not press the Contempt Petition at this stage and the same may be dismissed as withdrawn with liberty to the petitioners to move an application for revival of the contempt petition in the eventuality of stay being vacated or the LPA being decided in favour of the petitioners, whichever is earlier.

7. The same is not opposed by learned Addl. A.G. Haryana.

8. Accordingly, in view of the position as noted above as well as statement of learned counsel for the parties, the Contempt Petition is dismissed as withdrawn with the liberty as prayed for.

21.01.2021

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(B.S. Walia)
Judge

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