

COCp-2796-2020

Date of Decision: 21.01.2021

Dinesh Singh

...Petitioner

vs.

J. Ganesan

...Respondent

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

Present: Mr. Ranesh Bansal, Advocate for the petitioner.

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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 11 and 12 of the Contempt of Courts Act, 1971, is for initiating proceedings against the respondent for intentionally and willfully disobeying order dated 15.06.2020, in CWP-8070-2020.

3. Learned counsel contends that vide order dated 15.06.2020, CWP-8070-2020 was disposed of by directing the respondent to consider the claim made in legal notice dated 29.01.2020, within 60 days from the date of receipt of certified copy of the order, but despite lapse of the stipulated period of time and repeated representations, needful has not been done, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of orders of this Court as referred to above.

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 for non-compliance with the orders dated 15.06.2020 in CWP-8070-2020.

5. Mr. Vivek Chauhan, Addl. AG, Haryana, accepts notice on behalf of the respondent and on instructions from the respondent states that needful could not be done due to circumstances prevailing on account of Corona Virus Pandemic as also on account of wrong record having been forwarded by the Block Education Officer, but in case two weeks time is granted, needful would be done in view of correct record having now been received.

6. The same satisfies learned counsel for the petitioner, who states that in the circumstance, he does not press the Contempt Petition and the same may be disposed of, as such, at this stage with directions to the respondent to adhere to the assurance held out by him through learned State Counsel and to decide the claim made in the legal notice dated 29.01.2020, within two weeks from today.

7. In view of the position as noted above as well as statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed, while directing the respondent to adhere to the assurance held out by him through the learned State Counsel and to decide the claim made in legal notice dated 29.01.2020, in terms of order dated 15.06.2020, in CWP-8070-2020, within two weeks from today and to supply a copy of the decision taken on the legal notice to the petitioner within a period of one week thereafter. Needless to mention, in case, the needful is not done

within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the contempt petition.

(B.S. Walia)  
Judge

21.01.2021  
'Rajesh'

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No