

COCP-2901-2020 (O&M)

Date of Decision: 06.01.2021.

Mohammad Zahid

...Petitioner

vs.

Anand Mohan Saran

...Respondent

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

Present: Mr. Karan Singh, 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 pandemic Covid-19.

2. Learned counsel contends that despite the petitioner having filed an appeal in terms of order dated 13.07.2020, in CWP-9749-2020, on 20.07.2020, the same has not been decided till date despite repeated requests by the petitioner, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971, for intentional and willful defiance of order dated 13.07.2020, in CWP-9749-2020.

3. 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 order dated 13.07.2020, in CWP-9749-2020.

4. Mr. Vivek Chauhan, learned Addl. AG, Haryana, accepts notice on behalf of the respondent and on instructions from the respondent states that the appeal could not be decided within time

stipulated in order dated 13.07.2020, in CWP-9749-2020, as the office of

the Director General, Mines and Geology, Haryana, was being shifted from Sector-17, Chandigarh, to Panchkula, but in case two weeks more time is granted, the appeal would be decided in compliance of order dated 13.07.2020, in CWP-9749-2020.

5. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the Contempt Petition and the same may be disposed of as such at this stage with direction to the respondent to adhere to the assurance held out through the learned Addl. AG, Haryana and to decide the appeal within the stipulated period of time as also by granting liberty to the petitioner to move an application for revival of the Contempt Petition, if the circumstances of the case, so warrant.

6. Accordingly, in view of the statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage while directing the respondent to adhere to the assurance held out by him through learned Addl. AG, Haryana to decide the appeal within two weeks from today. 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

06.01.2021
'Rajesh-PS'

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