

COCP No.14 of 2021
Date of Decision :28.01.2021

Ramavtar

...Petitioner

Versus

Ankur Gupta and others

....Respondents

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

Present : Mr. Sajjan 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 Covid-19 pandemic.
2. Learned counsel contends that despite issuance of notice of motion on 20.09.2019 in CWP No.27014 of 2019 and granting interim order on same terms as in CWP No.17959 of 2019 in which it had been ordered that no deduction be made from the salary of the petitioners therein, the respondents in intentional and willful defiance of aforesaid orders are continuing to make deductions from the salary of the petitioner, therefore, are liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of order dated 20.09.2019 in CWP No.27014 of 2019.
3. Issue notice to respondent No.3 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 dated 20.09.2019 in CWP No.27014 of 2019.

4. Mr. Vivek Chauhan, learned Addl. A.G., Haryana accepts notice on behalf of respondent No.3 and on instructions from respondent No.3 has placed on record copy of receipt dated 21.01.2021 given by the petitioner acknowledging deposit of sum of Rs.23,283/- in his account qua wrong deduction made by the respondents. Learned Addl. A.G., Haryana, further, states that no deduction would be made from the salary of the petitioner in view of order dated 20.09.2019 in CWP No.27014 of 2019 during the pendency of the writ petition.

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 while 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 the light of the position as noted above, as well as statement of learned counsel for the petitioner, the contempt petition is ***disposed of*** as not pressed, at this stage, while granting liberty to the petitioner to move an application for revival of the contempt petition, if the circumstances of the case, so warrant.

(B.S. Walia)
Judge

January 28, 2021
'Rajneesh'

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