

[119] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No. 36 of 2022
Date of Decision :01.02.2022

Prem Singh ...Petitioner

versus

Gurkirat Kirpal Singh IAS and othersRespondents

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

Present : Mr. Ashok Giri, Advocate for the petitioner.

Ms. Deepali Puri, Addl. Advocate General, Punjab.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to 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 disobeying order (Annexure P-1) dated 14.10.2021 in CWP No. 21354 of 2021.

[3] A perusal of order (Annexure P-1) dated 14.10.2021 reveals that CWP No. 21354 of 2021 was disposed of by directing the official respondents to consider and decide the claim as made in legal notice dated 20.09.2021 in accordance with law by passing a speaking order preferably within a period of one month from the date of receipt of certified copy of the order and if the petitioner was found entitled to any payment, to release the same to him without any delay in accordance with law.

[4] Learned counsel contends that pursuant to order dated 14.10.2021 in CWP No. 21354 of 2021, the claim made in legal notice dated 20.09.2021 has been rejected by competent authority i.e. Director, Food Civil Supply & Consumer Affairs vide order dated 07.01.2022 and copy of said order has been supplied to him today.

[5] Learned counsel states that in the circumstances, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 07.01.2022 by way of appropriate proceedings in accordance with law.

[6] I have considered the submissions of learned counsel for the petitioner.

[7] Notice has not been issued in the instant petition. Admittedly, decision on the claim made in the legal notice dated 20.09.2021 has been taken by the competent authority in terms of order dated 14.10.2021 in CWP No. 21354 of 2021 on 07.01.2022 and copy thereof supplied to learned counsel for the petitioner.

[8] In the light of the position noted above as well as statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

[9] Accordingly, the contempt petition is disposed of as such while granting liberty to the petitioner to challenge order dated 07.01.2022 by way of appropriate proceedings in accordance with law.

(B.S. Walia)
Judge

01.02.2022
Rajesh/Jyoti-II

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