

COCP-224-2022

Date of Decision : 03.03.2022

Avtar Singh

...Petitioner

Versus

Apuneet Rayat, IAS, Deputy Commissioner

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Ms. Ruby Kaur, Advocate for
Mr. Gursharanjit Singh, Advocate for the petitioner.

Mr. Aditya Sharda, AAG, Punjab.

B.S. Walia, J. (VC)

1. Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P/1 dated 02.03.2020, in CRM-M-9009-2020.

2. A perusal of order Annexure P/1 dated 02.03.2020 reveals that CRM-M-9009-2020, was disposed of on the premise and belief that the respondent would ensure genuineness of the complaint filed against the petitioner in accordance with law before taking any action in the matter.

3. Learned AAG, Punjab, has referred to Annexure P/4 i.e. decision taken by the respondent qua the complaint of the residents of the village that due to old age, the petitioner was not able to discharge duties as Numberdar and was having problem even in recognizing the residents of the village as a result of which the residents of the village were facing difficulty in getting their revenue work / other work done. In the aforementioned background, residents of the village had sought appointment of a *Numberdar*

in substitution of the petitioner so that work of the village could be conducted in a proper manner. The respondent after issuing notice to the petitioner, examining him, recording statement of villagers, besides taking into account the report of the Sub Divisional Magistrate, Dasuya as well as the factual position of the petitioner being 92 years of age and finding it difficult to discharge the duties of *Numberdar*, ordered his removal as such and appointment of a new Numberdar for village Jhaji Pind in accordance with rules, so that work of the village could be done properly. In the light of the position noted above, I do not find any circumstance whatsoever warranting any action against the respondent under the Contempt of Courts Act, 1971. Accordingly, the contempt petition being devoid of any merit is dismissed as such. However, if so advised, the petitioner is at liberty to challenge the correctness of order Annexure P/4 by way of appropriate proceedings, in accordance with law.

4. Rule discharged.

(B.S. Walia)
Judge

03.03.2022
rajesh

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