

COCP-71-2022

Date of Decision :01.02.2022

Prem Devi and Ors.

...Petitioners

Versus

Shyam Lal Poonia and anr.

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Chanderhas Yadav, Advocate for the petitioners.
*****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 Sections 10 and 11 read with Section 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondents for intentionally and willfully disobeying order, Annexure P/1 dated 15.07.2021, with a further prayer for issuance of warrant of arrest of the respondents for committing contempt of this Court.

[3] A perusal of order, Annexure P/1 dated 15.07.2021 reveals that CWP No.12838 of 2021 was disposed of by directing the Deputy Commissioner, Jhajjar to consider and decide the representation dated 15.01.2020 submitted by the writ petitioners within two months and decision taken was to be conveyed to the writ petitioners forthwith and in case the writ petitioners' claim was accepted, consequential allotment and possession of the plots was to be handed over to the writ petitioners within a period of six weeks thereafter.

submission by learned State counsel, admits that the petitioners were not petitioners in CWP No.12838 of 2021 nor they had submitted representation dated 15.01.2020 and that order dated 15.07.2021 in CWP No.12838 of 2021 were not passed in favour of the petitioners.

[5] On query with regard to maintainability of the contempt petition, learned counsel for the petitioners prays for permission to withdraw the instant petition with liberty to take out appropriate proceedings in accordance with law for redressal of grievance of the petitioners.

[6] In view of the position noted above, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

[7] Accordingly, the contempt petition is dismissed as such while granting liberty to the petitioners to take out appropriate proceedings in accordance with law for redressal of their grievances as is the subject matter of the instant petition.

(B.S. Walia)
Judge

01.02.2022
'Amit'

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