

COC-364-2020

Date of Decision: 15.03.2022

Rajesh Sharma

...Petitioner

vs.

Keshni Anand Arora and another

...Respondents

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

Present: Mr. Ashok Kumar Sharma (Bhana), Advocate for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order Annexure P/1 dated 19.03.2019, in CWP-7593-2019.

2. A perusal of order Annexure P/1 dated 19.03.2019 reveals that CWP-7593-2019 was disposed of by directing the respondents to consider representation dated 27.09.2018, submitted by the petitioner and pass appropriate orders in respect thereto keeping in view judgments dated 13.09.2018, 17.07.2017 as well as order dated 19.09.2018, within six months.

3. Learned counsel contends that the instant petition was filed on account of failure of the respondent to do the needful.

4. As per reply dated 26.06.2020, speaking order, Annexure R/2 was passed on 15.05.2020 and representation submitted by the petitioner was rejected. Reply also mentions that the deponent is a law abiding citizen and has the highest respect for the orders of the Court, can never

think of disobeying the same and further tenders an unconditional and

unqualified apology for not passing orders within the stipulated period of time.

5. Learned Counsel for the petitioner states that in the circumstances, he does not press the instant petition and the same may be disposed of as such while granting liberty to the petitioner to challenge speaking order, Annexure R/2 dated 15.05.2020 by way of appropriate proceedings in accordance with law.

5. I have considered the submissions of learned counsel.

6. Admittedly, order Annexure R/2 dated 15.05.2020, has been passed in compliance of order, Annexure P/1 dated 19.03.2019, in CWP-7593-2019 though beyond the stipulated period of time. In view of compliance having been made, unconditional and unqualified apology having been tendered for delay in compliance, as well as statement of learned counsel for the petitioner, the instant petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971, while granting liberty to the petitioner to challenge order Annexure R/2 dated 15.05.2020, by way of appropriate proceedings, in accordance with law.

(B.S. Walia)
Judge

15.03.2022
rajesh

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