

AT CHANDIGARH

COCP-88-2022

Date of Decision : 14.02.2022

Rajinder Singh

...Petitioner

Versus

Dev Dutt

....Respondent

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

Present : Mr. Ravinder Malik (Ravi), Advocate for the petitioner.

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 & 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India is for initiation of proceedings against the respondent for intentional and willful defiance of order (Annexure P-1) dated 22.02.2021 in CWP No.2390 of 2021 in case titled as Rajinder Singh Vs. State of Haryana and Others.

[3] A perusal of order, Annexure P/1 dated 22.02.2021 reveals that CWP No.2390 of 2021 was disposed of by directing the respondent to decide representation dated 18.08.2019 in accordance with law within a period of three months from the date of receipt of certified copy of the order.

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

[5] Issue notice to the respondent to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against

him.

[6] Mr. Rajesh Gaur, Addl. A.G., Haryana accepts notice on behalf of the respondent and has produced copy of order dated 07.06.2021 rejecting the representation dated 18.08.2019 submitted by the petitioner. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner who on perusal of the same, states that in the circumstances, the petitioner is not interested in pursuing the instant petition and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 07.06.2021 by way of appropriate proceedings in accordance with law.

[7] I have considered the submissions of learned counsel for the parties. In view of order dated 07.06.2021 having been passed by the respondent (i.e. General Manager, Haryana Roadways, Charkhi Dadri Depot, District Charkhi Dadri), in terms of order dated 22.02.2021 in CWP No.2390 of 2021 as well as statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondent.

[8] Contempt petition is accordingly disposed of as such while granting liberty to the petitioner to challenge order dated 07.06.2021 by way of appropriate proceedings in accordance with law.

(B.S. Walia)
Judge

14.02.2022
'Amit'

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