

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

COCN No.187 of 2020
Date of Decision :30.03.2022

Ganpati Gun House, Amritsar ...Petitioner

Versus

Shiv Dular Singh Dhillon and anotherRespondents

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

Present : Mr. Jatinder Nagpal, Advocate
for the petitioner.

Mr. Aditya Sharda, Asstt. A.G., Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for punishing the respondents for intentional and willful defiance of order (Annexure P-1) dated 29.08.2019 in CWP No.23278 of 2019.

[2] A perusal of order (Annexure P-1) reveals that CWP No.23278 of 2019 was disposed of vide order dated 29.08.2019 by taking note of the grievance that application dated 23.12.2016 submitted by the petitioner to the District Magistrate, Amritsar for renewal of dealership licence Form Nos.11, 12 and 14 (now category form Nos.8& 9) was still pending and no final decision had been taken in view of statement of learned State Counsel that in case application of the petitioner dated 23.12.2016 was still pending, the same would be processed in accordance with law as per the provisions of the Arms Act, 1959 and the rules framed thereunder and final decision would be taken expeditiously and in any case within 03 months from the date of order.

[4] Learned counsel contends that the instant petition was filed on account of failure of the respondents to do the needful in terms of order dated 29.08.2019 in CWP No.23278 of 2019.

[5] *Per contra*, learned State Counsel, has referred to paragraph No.8 of the reply and Annexure R-4/T dated 14.02.2020 passed by Dr. Himanshu Agarwal, Additional Deputy Commissioner (General), Amritsar, the then officiating Deputy Commissioner, Amritsar, rejecting application dated 23.12.2016 for renewal of licence of the petitioner.

[6] Learned State Counsel contends that in view of Annexure R-4/T, order of Hon'ble the High Court dated 29.08.2019 in CWP No.23278 of 2019 has been complied with, therefore, no action is called for against the respondents under the Contempt of Courts Act, 1971.

[7] In view of the position noted above, learned counsel for the petitioner contends that he does not press the instant petition but liberty be granted to the petitioner to challenge order (Annexure R-4/T) dated 14.02.2020 by way of appropriate proceedings, in accordance with law.

[8] The same is not opposed to by the learned State Counsel.

[9] Accordingly, in view of the position noted above, 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, as prayed for.

[10] *Rule discharged.*

(B.S. Walia)

Judge

30.03.2022

'Rajneesh'