

Satbir

...Petitioner

Versus

Sujan Singh, Deputy Commissioner, Kaithal

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Vikram Singh Narwal, Advocate for the petitioner.  
Mr. Pawan Kumar Longia, DAG, Haryana.

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**B.S. Walia, J.** (Oral)

[1] Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 is for punishing the respondent for intentional and willful defiance of order (Annexure P-1) dated 07.11.2019 in CWP No.32258 of 2019.

[2] A perusal of order (Annexure P-1) reveals that CWP No.32258 of 2019 was disposed of vide order dated 07.11.2019 by directing the respondent i.e. Deputy Commissioner, Kaithal to consider and decide complaint dated 30.08.2019 in accordance with law within six weeks from the date of receipt of certified copy of the judgment and in case on consideration, the competent authority arrived at the conclusion that the benefit claimed by the petitioner was admissible, then in such eventuality, consequential relief was to be allowed to the petitioner within six weeks thereafter. However, in case the competent authority arrived at the conclusion that the relief claimed by the petitioner was not admissible, in that case, a speaking order was required to be passed.

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

[4] Learned DAG on the other hand refers to order, Annexure R/1 dated 07.08.2020 passed by the respondent as is attached with reply dated 12.11.2020.

[5] Learned counsel for the petitioner on perusal of order, Annexure R/1 states that in the circumstances, the petitioner does not press the instant petition but liberty be granted to the petitioner to challenge order, Annexure R/1 dated 07.08.2020 by way of appropriate proceedings in accordance with law.

[6] 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 respondent under the Contempt of Courts Act, 1971, while granting liberty to the petitioner to challenge order, Annexure R/1 dated 07.08.2020 by way of appropriate proceedings in accordance with law.

**(B.S. Walia)**  
**Judge**

28.03.2022  
'Amit'

|                                   |   |               |
|-----------------------------------|---|---------------|
| <i>Whether speaking/ reasoned</i> | : | <i>Yes/No</i> |
| <i>Whether reportable</i>         | : | <i>Yes/No</i> |