

COCp-119-2022

Date of Decision : 09.02.2022

Baldev Singh

...Petitioner

Versus

Dhirendra Kumar Tiwari

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr.Gursharan Singh, Advocate for
Mr. Fatehjeet Singh, 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 and 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondent for intentional and willful defiance of order, Annexure P/1 dated 10.11.2021 in CWP No.22754 of 2021.

[3] A perusal of order, Annexure P/1 reveals that although CWP No.22754 of 2021 was dismissed yet directions were issued that in case a representation was made within two weeks, the same be decided within next two weeks in accordance with law by passing a speaking order and on failure of the respondent to do the needful, the instant petition was filed but now the respondent has served copy of order dated 24.01.2022 deciding the representation submitted by the petitioner though not within

view of the representation having been decided, 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 24.01.2022 by way of appropriate proceeding in accordance with law.

[4] Notice has yet not been issued in the instant case. Admittedly, the respondent has decided the representation submitted by the petitioner in terms of order dated 10.11.2021 in CWP No.22754 of 2021 though not within the specified time-frame. However, in view of the representation having been decided as well as in view of the statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondent.

[5] Accordingly, the contempt petition is disposed of as such while granting the liberty as prayed for.

(B.S. Walia)
Judge

09.02.2022
'Amit'

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