

COCP-141-2022

Date of Decision : 02.03.2022

M/s Dwarka Dhruv Developers

...Petitioner

versus

Deepak Gandhi

....Respondent

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

Present : Ms. Isha Goyal, Advocate for the petitioner.

Ms. Baani Chhibar Mahajan, Advocate for
Mr. Prateek Mahajan, Advocate for the respondent.

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 is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P/1 dated 18.11.2021, in CWP-22878-2021/

3. A perusal of order Annexure P/1 dated 18.11.2021 reveals that CWP-22878-2021, was disposed of by directing the respondent to examine representation dated 03.08.2021 and take a decision thereon in accordance with law by passing a speaking order within six weeks. Learned counsel contends that the instant petition was filed on account of failure of the respondent to do the needful within the stipulated period of time.

4. Reply has already been filed on behalf of the respondents.

Copy thereof supplied to learned counsel for the petitioner.

that in compliance of order Annexure P/1 dated 18.11.2021, in CWP-22878-2021, speaking order dated 25.01.2022, has been passed by the respondent and the same is attached with the reply as Annexure R/1.

6. Learned counsel for the petitioner on perusal of order Annexure R/1 dated 25.01.2022, states that in the circumstances, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such as the petitioner has already challenged order Annexure R/1 by way of CWP-2815-2022.

7. Accordingly, in view of the position noted above 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. The contempt petition is disposed of as such.

(B.S. Walia)
Judge

02.03.2022
rajesh

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