

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

COCN No.442 of 2020
Date of Decision :20.04.2022

Dr. Dhara Ballabh Dhaulakhandi, Head of Deptt. of
Biotechnology & Molecular Medicine, Pt. B.D. Sharma
PGIMS, Rohtak ...Petitioner

versus

Dr. O.P. Kalra, Vice Chancellor, Pt. B.D. Sharma
University of Health Sciences, Rohtak (Haryana)
and anotherRespondents

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

Present : Mr. Sardavinder Goyal, Advocate for the petitioner.

Mr. Ojas Bansal & Mr. Tejas Bansal, Advocates for
Mr. Sanjiv Kumar Aggarwal, Advocate
for the respondents.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating action against the respondents for intentional and willful defiance of order (Annexure P-1) dated 22.10.2019 in CWP No.24038 of 2017.

[2] A perusal of order (Annexure P-1) reveals that the order impugned in CWP No.24038 of 2017 was set aside and the respondents were directed to consider the case of the petitioner as per Rules within 02 months from date of receipt of certified copy of the order, failing which, costs of Rs.50,000/- were to be recovered from the concerned officer.

[3] Learned counsel contends that vide order dated 23.03.2021, operation of the impugned order / judgment dated 22.10.2019 passed by the learned Single Judge has been stayed by the Division Bench and the

[4] Learned counsel for the petitioner states that in the circumstances, the petitioner does not press the instant petition and may be permitted to withdraw the same at this stage with liberty to move an application for revival of the petition in the eventuality of vacation of interim order or decision of LPA No.285 of 2020 in favour of the petitioner, whichever is earlier.

[5] The aforementioned course of action is not opposed to by the learned counsel for the respondents.

[6] Accordingly, in view of the position noted above, as well as statement of learned counsel for the parties, the instant petition is disposed of as not calling for any orders against the respondents under the Contempt of Court Act, 1971 at this stage with liberty to the petitioners to move an application for revival of the petition in the eventuality of vacation of stay or decision of LPA No.285 of 2020 in favour of the petitioner, whichever is earlier.

[7] Rule discharged.

(B.S. Walia)
Judge

20.04.2022
'Rajneesh'

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