

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

COCp-304-2022

Date of Decision :22.02.2022

GINDORI DEVI

...Petitioner

versus

MAHAVIR SINGH AND ORS

....Respondents

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

Present : Mr. Vipin Yadav, 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 is for initiating action against the respondents for intentional and willful defiance of order dated 09.02.2021 (Annexure P-1) in CWP No.2853 of 2021 titled as Gindori Devi vs. State of Haryana and others.

[3] A perusal of order dated 09.02.2021, reveals that CWP No.2853 of 2021, was disposed of by directing the competent authority to look into representation dated 22.10.2019 by keeping in view the contentions raised in the writ petition and by treating the same as supplementary representation and decide the same, by passing a speaking order in accordance with law within three months. Learned counsel contends that the instant petition was filed on account of failure of the respondents to do the needful.

[4] Issue notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against them.

[5] Mr. Pawan Kumar Longia, DAG, Haryana accepts notice on behalf of the respondents and has produced copy of speaking order dated 25.05.2021, passed by respondent No.2, rejecting the claim of the petitioner as contained in representation dated 22.10.2019 as also in the light of contentions raised in the writ petition. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who states that in the circumstances, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 25.05.2021, by way of appropriate proceedings, in accordance with law.

[6] Learned DAG contends that in view of order dated 25.05.2021, having been complied with in terms of order dated 09.02.2021 (Annexure P-1), no action under the Contempt of Courts Act, 1971, is called for against the respondents.

[7] I have considered the submissions of learned counsel.

[8] Admittedly, order dated 25.05.2021 has been passed in compliance of order dated 09.02.2021 in CWP-2853-2021 though a few days beyond the stipulated period of time. However, taking into account the fact that order dated 25.05.2021 has been passed as also the circumstances prevailing on account of Covid-19 pandemic due to which the orders dated 09.02.2021 in CWP-2853-2021 could not be complied

respondents under the contempt of Courts Act, 1971 is called for. Accordingly the contempt petition is disposed of as such while granting liberty to the petitioner to challenge order 25.05.2021 by way of appropriate proceedings in accordance with law.

[9] Rule discharged.

(B.S. Walia)
Judge

22.02.2022
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Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No