

Raj Singh ...Petitioner

vs.

Rakesh Chouhan and another ...Respondents

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

Present: Mr. Suresh Ahlawat, Advocate for the petitioner.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order Annexure P/1 dated 11.11.2021, in CWP-22844-2021.

2. A perusal of order Annexure P/1 dated 11.11.2021, reveals that CWP-22844-2021, was disposed of by directing the competent authority to look into the grievance of the petitioner as contained in legal notice dated 07.12.2021 as also by keeping in view the contentions raised in the writ petition and to take a decision in respect thereto in accordance with law, as expeditiously as possible. Learned counsel contends that the instant contempt petition has been filed on account of failure of the respondents to do the needful.

3. Issue notice to respondent No.2 to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him.

4. Mr. Rajesh Gaur, Addl. AG, Haryana, accepts notice on behalf of respondent No.2 and has produced copy of speaking order

dated 15.02.2022, passed by respondent No.2, rejecting the claim of the

petitioner as contained in legal notice dated 07.12.2021 after considering the contentions raised in the writ petition. The same is taken on record and copy thereof supplied to learned counsel for the petitioner, who on perusal of the same 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 15.02.2022, by way of appropriate proceedings, in accordance with law.

5. Learned Addl. AG, also contends that in view of order dated 11.11.2021, having been complied with by deciding the claim of the petitioner as contained in legal notice, no action under the Contempt of Courts Act, 1971, is called for against respondent No.2.

6. I have considered the submissions of learned counsel for the parties.

7. Admittedly, order has been passed in compliance of directions dated 11.11.2021, in CWP-22844-2021, rejecting the claim of the petitioner. Accordingly, in the light of position noted above, no action under the Contempt of Courts Act, 1971, is called for against respondent No.2. Contempt petition is disposed of as such while granting liberty to the petitioner to challenge order dated 15.02.2022, by way of appropriate proceedings, in accordance with law.

8. Rule discharged.

(B.S. Walia)
Judge

17.02.2022

rajesh