

COCP-701-2020

Date of Decision : 08.07.2022

Birbal Singh

...Petitioner

versus

Baldev Singh Sran

....Respondent

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

Present : None for the petitioner.

Mr. Sehajbir Singh, Advocate for the respondent.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P-4, dated 24.07.2018, in CWP-17765-2018.

2. A perusal of order Annexure P-4 dated 24.07.2018, reveals that CWP-17765-2018, was disposed of by directing the respondent to consider and decide legal notice dated 11.05.2018 and take a conscious decision in respect thereto within three months from the date of receipt of certified copy of the order in the light of instructions referred to in para No.1 of Annexure P/4 and in case the competent authority came to the conclusion that the petitioner was entitled to the relief claim, to release the same to the petitioner within the next 45 days.

3. Learned counsel for the respondent has placed on record speaking order dated 10.07.2019, passed by the respondent, rejecting the claim of the petitioner contained in legal notice dated 11.05.2018. Learned Counsel for the respondent states that copy of order dated 10.07.2019, has

on order dated 10.07.2019.

4. However, none is present on behalf of the petitioner and for that matter none was present on behalf of the petitioner on 08.04.2022 while on 27.02.2020, the case was got adjourned by learned counsel for the petitioner.

5. In view of the position noted above, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971, while granting liberty to the petitioner to challenge order dated 10.07.2019, by way of appropriate proceedings, in accordance with law. Liberty to move an application for revival of the instant petition if cause survives.

(B.S. Walia)
Judge

08.07.2022

rajesh

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