

COCP-419-2022

Date of Decision :06.04.2022

Shakuntla and another

...Petitioners

Versus

Ajit Balaji Joshi, IAS and others

....Respondents

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

Present : Ms. Neeru Bansal, Advocate for the petitioners.

Mr.Arvind Seth, Advocate for respondent No.3.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition is for initiating action against the respondents for intentional and willful defiance of order, Annexure P/1 dated 30.08.2019 in CWP-13086-2016.

[2] Mr. Arvind Seth, learned counsel appearing on behalf of respondent No.3, states that in terms of liberty granted by Hon'ble Supreme Court, the respondent filed LPA No.230 of 2022 and vide order dated 23.03.22, the same has been ordered to be listed for hearing alongwith LPA No.714 of 2019 while directing that benefit of consideration for regularization as per Policy dated 01.10.2003 which had been granted by the learned Single Judge would remain stayed. Learned counsel for respondent No.3 states that in the circumstances, no action under the Contempt of Courts Act, 1971 is called for in the instant petition and the same may be disposed of as such.

[3] Faced with the aforementioned position, learned counsel for the

petition and the same may be disposed of as such at this stage while granting liberty to the petitioners to move an application for revival of the contempt petition in the eventuality of order of stay being vacated or the LPA filed by the respondents being decided in favour of the petitioners.

[4] The aforementioned course of action is not opposed to by learned counsel for respondent No.3.

[5] Accordingly, in view of the position noted above as well as the statement of learned counsel for the petitioners, the instant petition is disposed of as not calling for any action against respondent No.3 at this stage while granting liberty to the petitioner to file an application for revival of the contempt petition in the eventuality of vacation of stay or decision of LPA in favour of the petitioners, whichever is earlier.

[6] Rule discharged.

(B.S. Walia)
Judge

06.04.2022
ps

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