

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

COCF No.1011 of 2020

Date of Decision : 16.05.2022

Karan Singh ...Petitioner

versus

Ajit Singh, District Education Officer, Bhiwani,
District Bhiwani.Respondent

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

Present : Mr. Neeraj Sheoran, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

1. Prayer in the instant petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 12.12.2019, in CWP No.36043 of 2019 in case titled as 'Karan Singh versus State of Haryana and others'.

2. A perusal of order (Annexure P-1) reveals that CWP No.36043 of 2019 was disposed of by directing respondent No.3 to consider and decide the claim made in representation (Annexure P-5) dated 08.12.2019, after taking into account all aspects of the matter within 06 weeks from the date of receipt of certified copy of the order.

3. On 19.03.2020 compliance report was called for 22.05.2020.

4. Learned DAG, Haryana, contends that although the functioning of the departments was severely affected due to the grave situation prevailing in the country on account of Corona Virus Pandemic, yet order (Annexure R-3) dated 25.02.2020 was passed by the respondent in compliance of order dated 12.12.2019 in CWP No.36043 of 2019, rejecting the claim made in representation dated 08.12.2019.

5. On 28.03.2022, on objection raised by the petitioner-counsel that the order had been ante-dated, learned DAG, Haryana had sought time to produce the dispatch register. The same has been produced today.

6. A perusal thereof reveals that the order in question was dispatched vide No. 446-50 dated 26.02.2020. Although, there appears to be some overwriting in the diary number but the same has been explained by the learned DAG, Haryana on account of the order being dated 25.02.2020 but having been dispatched on 26.02.2020. Photocopy of the relevant dispatch register is taken on record. Copy thereof supplied to learned counsel for the petitioner.

7. Learned counsel for the petitioner states that after the passing of order (Annexure R-3), the petitioner has been reinstated. However, he has not challenged Annexure R-3.

8. I have considered the submissions of learned counsel. In view of the position noted above, especially of order (Annexure R-3) having been passed on 25.02.2020 in compliance of orders (Annexure P-1) dated 12.12.2019, no action is called for against the respondent under the Contempt of Courts Act, 1971.

9. Contempt petition is accordingly *disposed of* as such, while granting liberty to the petitioner to challenge order (Annexure R-3) dated 25.02.2020 by way of appropriate proceedings in accordance with law, if so advised.

(B.S. Walia)
Judge

16.05.2022

'Rajneesh'

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