

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

COCN No.994 of 2020
Date of Decision: 09.03.2022

Sushma Rani ...Petitioner

vs.

Bhupinder Pal Singh ...Respondent

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

Present: Mr. Vipin Sharma, Advocate for
Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Aditya Sharda, Asstt. A.G., Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Sections 10 & 12 of the Contempt of Courts Act, 1971 is for initiating proceedings against the respondent for intentional and willful defiance of order (Annexure P-3) dated 07.11.2019 in CWP No.32254 of 2019.

[2] A perusal of order (Annexure P-3) reveals that CWP No.32254 of 2019 was disposed of by directing the Director, Local Bodies, Punjab to consider and decide representation dated 17.04.2019 in accordance with law within 06 weeks from the date of receipt of the certified copy of the order and if, on consideration, the competent authority came to the conclusion that the benefit claimed by the petitioner was admissible to her, consequential relief be allowed to her within a period of 06 weeks thereafter but in case the competent authority came to the conclusion that the relief claimed by the petitioner was not admissible or made out, then in that eventuality, a speaking order was required to be

[3] Learned counsel contends that the instant petition was filed on account of failure of the respondent to do the needful.

[4] Notice has yet not been issued in the instant case.

[5] Learned Asst. AG, Punjab, has produced copy of speaking order dated 22.04.2020 passed by the respondent. The same is taken on record. Copy thereof handed over 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 22.04.2020 by way of appropriate proceedings, in accordance with law.

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

[7] Admittedly, order dated 22.04.2020 was passed in compliance of order dated 07.11.2019 in CWP No.32254 of 2019 though beyond the stipulated period of time.

[8] However, in view of the position noted above, as well as statement of learned counsel for the petitioner, no action is called for against the respondent under the Contempt of Courts Act, 1971. Accordingly, the petition is *disposed of* as such, while granting liberty to the petitioner to challenge order dated 22.04.2020 by way of appropriate proceedings, in accordance with law.

(B.S. Walia)
Judge

09.03.2022

'Rajneesh'

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