

In the High Court of Punjab and Haryana, at Chandigarh

C.O.C.P. No. 1198 of 2022

Date of Decision: 19.07.2022

Prem Kumar

... Petitioner(s)

Versus

Mahabir Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. S.K.Malik, Advocate
for the petitioner(s).

Mr. Harsh Vardhan, Assistant Advocate General,
Haryana, for the respondents.

Anil Kshetarpal, J.

1. Complaining willful non-compliance of the order dated 16.03.2021, the petitioner has filed the present petition under Section 11/12 of the Contempt of Courts Act, 1971. The operative part of the order dated 16.03.2021 reads as under:-

“Without commenting upon the merits of the case or the entitlement of the petitioner, the writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 16.01.2021 (Annexure P-6) within a period of two months from the date of receipt of certified copy of this order. In case, the benefits are not made out, a reasoned order be passed and communicated to the petitioner.”.

2. It is not in dispute that pursuant to the directions issued, the

Additional Director, Elementary Education, Haryana, has passed a speaking

order dated 17.12.2021.

3. The learned counsel representing the petitioner contends that the order does not deal with the various contentions of the petitioner. Hence, there is non-compliance of the order dated 16.03.2021.

4. In the contempt jurisdiction, the Court is required to see as to whether there is any willful non-compliance of the directions or not. The legality and correctness of the order, which has been passed pursuant to the directions of the Court, cannot be examined.

5. With the observations made above, the present petition is disposed of.

(Anil Kshetarpal)
Judge

July 19, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No