

COCp-1663-2021

Date of Decision : 19.01.2022

Kanwaljit Singh

...Petitioner

Versus

Nanak Singh and another

....Respondents

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

Present : Mr. Deepak Arora, Advocate for the petitioner.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Prayer in the petition under Section 10 read with Section 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondents for intentional and willful defiance of order Annexure P/1 dated 15.07.2021, in CRM-M No.26882 of 2021.

[3] Learned counsel contends that the instant petition was filed on account of violation of order, Annexure P/1 dated 15.07.2021 in CRM-M No.26882 of 2021 which was disposed of by directing the Senior Superintendent of Police, Gurdaspur to consider the petition as a representation and to take a decision on the claim made in the same as also action pursuant to the decision as was warranted in the facts and circumstances of the case in accordance with law.

[4] Learned counsel contends that although notice of motion has

not been issued, yet respondent No.1 has filed reply indicating decision

of the claim made by the petitioner in CRM-M No.26882 of 2021 by way of Annexure R/II dated 03.08.2021. Learned counsel states that in the circumstances, the petitioner does not wish to pursue the contempt petition and the same may be disposed of as such with liberty to the petitioner to challenge order, Annexure R/II dated 03.08.2021 by way of appropriate proceedings in accordance with law.

[5] In view of the position noted above as well as statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondents.

[6] Accordingly, the contempt petition is disposed of as such while granting liberty to the petitioner to challenge order, Annexure R/II dated 03.08.2021 by way of appropriate proceedings in accordance with law.

(B.S. Walia)
Judge

19.01.2022
'Amit'

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