

Dayanand

...Petitioner

versus

Mohammad Akhil

....Respondent

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

Present : Mr. Kartar Singh Malik-I, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 28.03.2017, in CWP-11723-2016.

2. A perusal of order Annexure P-1 reveals that CWP-11723-2016, was disposed of vide order dated 28.03.2017, by granting liberty to the petitioner to move an application for condonation of delay with directions to the Appellate Authority to consider and decide the same sympathetically as also on merits, within six weeks from 28.03.2017.

3. Notice has not yet been issued in the instant petition. However, learned AAG, Haryana, has produced copy of order dated 14.07.2017, rejecting the application for condonation of delay along with copy of dispatch register dated 18.07.2017. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal of order dated 14.07.2017, states that although the said order was never communicated to him earlier nor was brought to his notice despite

notice Annexure P/4 dated 06.06.2022, yet in view of the said order having been supplied to him today, he does not press the instant petition but prays for grant of liberty to the petitioner to challenge order dated 14.07.2017, by way of appropriate proceedings, in accordance with law.

4. In view of the position noted above as well as statement of learned counsel for the petitioner, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971, while granting liberty to petitioner as prayed for.

(B.S. Walia)
Judge

28.09.2022

rajesh

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