

Krishan Lal Gera

...Petitioner

versus

AjitBala Joshi and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Rajwant Singh Chahal, Advocate for the petitioner.
Mr. Amit Jaiswal, Advocate for the respondents.

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-4, dated 26.05.2022 in CWP-PIL-61-2022.

2. A perusal of order Annexure P-1 dated 26.05.2022 reveals that CWP-PIL-61-2022 was disposed of on the basis of statement of learned Additional Advocate General, Haryana that in case any representation was submitted by the petitioner, the same would be considered and decided by passing a detailed order in accordance with law.

3. Pursuant to notice issued to the respondents, Mr. Amit Jaiswal, Advocate, has put in appearance and on instructions from respondent No.2-Administrator, HUDA, Faridabad states that the petitioner has been called for personal hearing with regard to claim submitted by him as per representation dated 23.06.2022 for 15.09.2022 and in the eventuality of the petitioner appearing on said date and answering the queries if any, of respondent No.2, a decision would be

taken by respondent No. on the representation of the petitioner within two weeks thereafter.

4. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the instant petition and the same may be disposed of as such while directing respondent No.2 to adhere to the assurance held out by him through the learned counsel appearing on his behalf, to give opportunity of hearing to the petitioner on 15.09.2022 and take a decision on the claim made in the representation dated 23.06.2022 filed by the petitioner within two weeks thereafter.

5. In view of the position noted above, as well as statement of learned counsel for the parties, the instant petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971 while directing respondent No.2 to adhere to the assurance held out by him through the learned counsel to give opportunity of hearing to the petitioner on 15.09.2022 and to take a decision in respect of the claim made in representation dated 23.06.2022 within two weeks thereafter and to communicate said decision by registered post to the petitioner within one week thereafter. Needless to mention, in case the needful is not done in the manner indicated above, liberty is granted to the petitioner to move an application for revival of the instant petition.

6. Petition disposed of with the aforementioned directions.

7. Rule discharged.

(B.S. Walia)
Judge

13.09.2022