

COC-1762-2022

Date of Decision :14.11.2022

Rajwinder Singh

...Petitioner

Versus

Omvir Singh

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Ashish Kumar, Advocate for
Mr. Praveen Chauhan, Advocate for the petitioner.Mr. Yashwant Singh Rathore, APP for UT-Chandigarh
along with Mrs. Sudha Singh, Advocate and
Mr. Gurraj Singh Rathore, Advocate.

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 08.03.2022 in CRWP No.2074 of 2022 in case titled as Rajwinder Singh vs. Union Territory, Chandigarh and others.

[2] A perusal of order Annexure P/1 reveals that CRWP No. 2074 of 2022 was dismissed as not maintainable while directing the authorities concerned to take a decision on the claim for pre-mature release of the petitioner in accordance with the provisions of the Good Conduct Prisoners' Probation Release Act, 1926 within four weeks while granting liberty to the petitioner that as and when a decision was taken on the application filed by the petitioner, he would be at liberty to avail appropriate remedy in respect thereto, in accordance with law.

[3] At the outset learned counsel for the petitioner states that as per order Annexure R/10 dated 31.10.2022 attached with the compliance report

-cum-reply, claim of the petitioner for premature release has been rejected, therefore, in the circumstances, the petitioner does not press the instant petition but prays for grant of liberty to challenge order Annexure R/10 dated 31.10.2022 by way of appropriate proceedings in accordance with law.

[4] In view of the position noted above as well as the 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 the petitioner as prayed for.

[5] Rule discharged.

(B.S. Walia)
Judge

14.11.2022
'Amit'

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