

COCN-2532-2021

Date of Decision : 31.01.2022

Gurmit Singh Saini and ors

...Petitioners

versus

Anirudh Tewari, IAS and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. C.M. Chopra, Advocate for the petitioners.
Mr. Avinit Avasthi, AAG, Punjab.

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 instant petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/1 dated 21.09.2021, in CWP-15246-2021.

3. A perusal of order Annexure P/1 dated 21.09.2021, reveals that CWP-15246-2021, was disposed of by directing the official respondents to consider representations Annexure P/31 to P/38 submitted by the petitioners afresh, in accordance with law, by passing a speaking order, preferably within a period of one month from the date of order.

4. Learned State Counsel contends that pursuant to order Annexure P/1 dated 21.09.2021, representations Annexures P/31 to P/38, were decided by the competent authority by passing speaking order Annexure R/1 dated 17.11.2021 and that in the circumstances, no action under the Contempt of Courts Act, 1971, is called for against the respondents and if aggrieved, the petitioners may invoke their remedy by way of appropriate proceedings, in accordance with law.

5. Learned counsel for the petitioners contends that in view of Annexure R/1 dated 17.11.2021, having been passed by the Principal Secretary, Department of General Administration, Government of Punjab, he does not press the instant petition and the same may be disposed of as such while granting liberty to the petitioners to challenge order Annexure R/1 dated 17.11.2021, by way of appropriate proceedings, in accordance with law.

6. Admittedly, vide order dated 21.09.2021, CWP-15246-2021, was disposed by directing the official respondents to consider representations Annexures P/31 to P/38 afresh, and pass a speaking order within one month from the date of order and in pursuance thereof, order Annexure R/1 dated 17.11.2021, was passed by the Principal Secretary, Department of General Administration, Government of Punjab.

7. In view of the position noted above as well as statement of learned counsel for the petitioners, no action under the Contempt of Courts Act, 1971, is called for against the respondents and the contempt petition is disposed of as such, while granting liberty to the petitioners to challenge order Annexure R/1 dated 17.11.2021, by way of appropriate proceedings, in accordance with law.

31.01.2022

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(B.S. Walia)
Judge

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