

COCp-2176-2022

Date of Decision :30.11.2022

Amit Kumar

...Petitioner

versus

Kuljit Pal Singh and another

....Respondents

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

Present : None for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiation of proceedings against the respondents for intentional and willful defiance of order, Annexure P-1, dated 02.03.2022 in CWP-26877-2021.

2. A perusal of order Annexure P-1 reveals that CWP-26877-2021 was disposed of by directing respondent No.1 herein to consider and decide the claim made in legal notice dated 18.03.2021 in accordance with law after taking into account all aspects of the matter as expeditiously as possible while keeping in mind the decision of Hon'ble the Supreme Court in **C. Jacob versus Director of Geology and Mining and another 2008 (10) SCC 115**.

3. On 10.10.2022, learned AAG had placed copy of speaking order dated 07.10.2022 on record and copy thereof had already been supplied to learned counsel for the petitioner, who requested for time to go over the same and to address arguments and the case was adjourned to 18.11.2022. Thereafter, on 18.11.2022, on joint request, the case was

adjourned to 30.11.2022.

4. Today, none has put in appearance on behalf of the petitioner.

5. Learned AAG states that in view of the order dated 07.10.2022 having been passed rejecting the claim of the petitioner as contained in legal notice dated 18.03.2021 vide order dated 07.10.2022, no action is called for against the respondents under the Contempt of Courts Act, 1971 .

6. I have considered the submissions of learned State counsel.

7. Admittedly, order dated 07.10.2022 has been passed by respondent No.1 in compliance of order Annexure P-1 dated 02.03.2022 in CWP-26877-2021 and the claim of the petitioner as contained in legal notice dated 18.03.2021 has been rejected. Copy thereof has already been supplied to learned counsel for the petitioner, however, none has put in appearance on behalf of the petitioner. In the circumstances, no useful purpose would be served by adjourning the case.

8. Accordingly, in the circumstances, the instant petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971 while granting liberty to the petitioner to challenge order dated 07.10.2022 by way of appropriate proceedings in accordance with law, if so advised.

(B.S. Walia)
Judge

30.11.2022

ps

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>