

COCP-2692-2021

Date of Decision :18.02.2022

Ram Lal

...Petitioner

versus

Yash Pal

....Respondent

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

Present : Ms.RahishPahwa, Advocate for the petitioner.

Mr. Hitesh Pandit, Advocate for the respondent.

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 petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P/1 dated 02.03.2021, in CWP-1890-2021.
3. A perusal of order Annexure P/1 dated 02.03.2021, reveals that CWP-1890-2021 was allowed on the ground that the same was covered by the decision in CWP-23703-2015, in case titled as Hari Ram Sharma and others vs. State of Haryana and others.
4. Learned Counsel for the respondent states that decision in CWP-1890-2021, was challenged in appeal and the Hon'ble Division Bench in LPA No.1194-2021, passed orders on 01.02.2022, that during the pendency of the LPA, contempt proceedings shall not be initiated against the appellant (respondent herein). Learned counsel contends that in the circumstances, the contempt petition be disposed of as not calling

Courts Act, 1971.

5. Learned counsel for the petitioner contends that in the circumstances, she does not press the contempt petition at this stage and the same may be disposed of as such while granting liberty to the petitioner to move an application for revival of the contempt petition, in case of modification of order dated 01.02.2022, in LPA No.1194-2021 or decision of the LPA in favour of the petitioner, whichever is earlier.

6. In view of the position noted above as well as statement of learned counsel for the parties, no action under the Contempt of Courts Act, 1971, is called for against the respondent. The contempt petition is disposed of as such with the liberty as prayed for.

(B.S. Walia)
Judge

18.02.2022
rajesh

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