

Rashmi

...Petitioner

versus

Kamal Kishor Yadav

....Respondent

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

Present : Mr. Anand Singh, Advocate for the petitioner.

Mr. Suman Jain, Advocate and Mr. Rishab, Advocate for the respondent.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P/1 dated 20.02.2018 in CWP No.4011 of 2018 in case titled as Rashmi vs. Municipal Corporation Through its Commissioner, Sector-17, Chandigarh and Ors.

[2] A perusal of order, Annexure P/1 reveals that CWP No.4011 of 2018 was disposed of by directing the respondent to look into the grievances unfolded by the petitioner in representation dated 16.11.2014 and to take a conscious decision on the same by passing a speaking order particularly in the light of decision in Civil Appeal No.6779 of 2009 in case titled as UT Chandigarh and another vs. Sampat and others decided on 03.04.2014 by Hon'ble the Supreme Court within three months from the date of receipt of certified copy of the order.

[3] Learned counsel for the respondent refers to order, Annexure R/1 dated 24.12.2019 accepting the claim of the petitioner except claim

for grant of ACP benefit on account of the same not being covered under the Policy applicable.

[4] Learned counsel for the petitioner states that in the circumstances, the petitioner does not press the instant petition and may be permitted to withdraw the same with liberty to challenge order, Annexure R/1 dated 24.12.2019 to the extent the same denies the benefit of ACP to the petitioner by way of appropriate proceedings in accordance with law.

[5] In view of the position noted above as well as 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.

[6] Rule discharged.

(B.S. Walia)
Judge

18.05.2022

'Amit'

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