

Mohan Singh

...Petitioner

vs.

Iqbal Preet Singh Sahota

...Respondent

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

Present: Mr. Manu K. Bhandari, Advocate for the petitioner.

Mr. Aditya Sharda, AAG, Punjab.

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/8 dated 20.07.2021, in CWP-13207-2021.

2. A perusal of order Annexure P/8 dated 20.07.2021, reveals that CWP-13207-2021 was disposed of by directing the respondent / competent authority to consider and decide legal notice dated 05.04.2021, in accordance with law as expeditiously as possible, preferably within three months from the date of receipt of certified copy of the order.

3. Learned counsel contends that the instant petition was filed on account of failure of the respondent to do the needful in terms of order dated 20.07.2021, in CWP-13207-2021.

4. At the outset, learned AAG, Punjab, has placed on record copy of order dated 18.02.2022 deciding legal notice dated 05.04.2021. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal thereof states that in view of the respondent

notice dated 05.04.2021, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 18.02.2022, by way of appropriate proceedings in accordance with law. Learned AAG, also contends that in view of the legal notice having been decided, the petition for initiating proceedings under the Contempt of Courts Act, 1971 against the respondent be disposed of as not calling for any action.

5. I have considered the submissions of learned counsel.

6. Notice has not yet been issued in the instant case. Admittedly the respondent has complied with the order of this Court dated 20.07.2021, in CWP-13207-2021, by deciding the legal notice dated 05.04.2021, vide order dated 18.02.2022, though not expeditiously. However, taking into account the fact that claim has been decided as also the explanation of the learned AAG, that decision could not be taken earlier due to circumstances prevailing on account of Corona Virus Pandemic besides the respondent having charge of the post of Director General of Police, Punjab, only for a period of approximately four weeks, and the instant order having been passed by the subsequent incumbent of the post of DGP as well as statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971, is called for against the respondent. Accordingly, the contempt petition is disposed of as such with the liberty as prayed for.

(B.S. Walia)
Judge

21.02.2022
rajesh

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