

COCp-2839-2021

Date of Decision : 08.03.2022

Simlo Devi

...Petitioner

Versus

Hussan Lal and Ors.

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Saurabh Arora, Advocate for the petitioner.
Mr. Aditya Sharda, 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 petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 is for initiating action against respondent No.7 for intentional and willful defiance of order, Annexure P/1 dated 02.09.2019 in CWP No.23955 of 2019 in case titled as Simlo Devi vs. State of Punjab and Ors.

[3] A perusal of order, Annexure P/1 dated 02.09.2019 reveals that CWP No.23955 of 2019 was disposed of by directing the respondents to decide legal notice dated 26.04.2019 by passing a speaking order within three months from the date of receipt of certified copy of the order and in case after the decision, it was found that the petitioner was entitled to any monetary benefit, to release the same within a period of next three months.

[4] Learned counsel contends that the instant petition was filed on account of failure of respondent No.7 to do the needful.

However, learned AAG has placed on record copy of reply dated 18.01.2022 along with copy of speaking orders, Annexure R/1 and Annexure R/3 rejecting the claim of the petitioner. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner.

[6] Learned counsel for the petitioner on perusal of speaking orders, Annexure R/1 and Annexure R/3 states that he does not press the instant petition at this stage and the same may be disposed of as such while granting liberty to the petitioner to challenge order, Annexure R/1 and Annexure R/3 by way of appropriate proceedings in accordance with law.

[7] I have considered the submissions of learned counsel.

[8] Admittedly, speaking orders Annexures R/1 and R/3 have been passed in compliance of orders, Annexure P/1 dated 02.09.2019 in CWP No.23955 of 2019 qua the claim of the petitioner as contained in legal notice dated 26.04.2019.

[9] Accordingly, in the light 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 respondents under the Contempt of Courts Act, 1971 while granting liberty to the petitioner to challenge orders, Annexure R/1 and R/3 by way of appropriate proceedings in accordance with law.

(B.S. Walia)
Judge

08.03.2022

'Amit'

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