

In the High Court of Punjab and Haryana, at Chandigarh

C.O.C.P. No. 2443 of 2022

Date of Decision: 24.11.2022

Barinder Kaur

... Petitioner(s)

Versus

Jaspreet Talwar, IAS and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. B.S.Bhatia, Advocate
for Mr. Sameer Sachdeva, Advocate
for the petitioner(s).

Mr. Sandeep Chopra, Deputy Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. Complaining willful violation of the order dated 15.02.2022 in Civil Writ Petition No. 2079 of 2022, the petitioner has filed this petition under Section 10 and 12 of the Contempt of Courts Act, 1971. The operative part of the order reads as under:-

“Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the legal notice dated 18.10.2021, Annexure P-4, as representation and decide the same, moved by the petitioner, in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of certified copy of this order.

If found entitled and if there is no impediment for the relief, the same be granted to the petitioner without any delay, as per law.”

2. Admittedly, the respondents have already passed the orders (Annexure P3 and P4), respectively. Now, the petitioner claims that those orders are not in accordance with law. The Court, while disposing of the writ petition, directed the official respondents to consider the notice as a representation and decide the same. The question as to “Whether the orders passed by the respondents are in accordance with law or not?” can be a subject matter of challenge before the appropriate forum. This petition for initiation of contempt proceedings is not maintainable.

3. Keeping in view the aforesaid facts, the present contempt petition is dismissed.

(Anil Kshetarpal)
Judge

November 24, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No