

COCp-2714-2022

Date of Decision :20.12.2022

KULBIR SINGH

...Petitioner

versus

T.V.S.N. PRASAD, IAS

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : None for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

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/1 dated 03.11.2021 in CWP No.21184 of 2021 in case titled as Kulbir Singh vs State of Haryana and others.

[2] A perusal of order, Annexure P/1 reveals that CWP No.21184 of 2021 was disposed of by directing the respondent to decide the mercy appeal dated 07.04.2016 filed by the petitioner under Rule 16.32 of the Punjab Police Rules 1934 in accordance with law within three months from the date of receipt of certified copy of the order.

[3] Although notice has not been issued in the instant case, yet learned DAG has filed compliance report-cum-reply by way of affidavit of the respondent dated 19.12.2022 along with order, Annexure R/1 dated 19.12.2022 partly accepting the appeal and reducing the punishment by withholding two increments with cumulative effect till 19.12.2022 and thereafter only one increment to be withheld with cumulative effect. The

aforementioned order is taken on record. Copy thereof is stated to have already been supplied to learned counsel for the petitioner. However, none is present on behalf of the petitioner.

[4] Learned DAG states that in view of the needful having been done, and order Annexure R/1 dated 19.12.2022 having been passed, no useful purpose would be served by adjourning the matter or keeping the same pending.

[5] Accordingly, in the light of the position noted above, 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 to challenge order, Annexure R/1 dated 19.12.2022 by way of appropriate proceedings in accordance with law to the extent the same is adverse to the interest of the petitioner.

(B.S. Walia)
Judge

20.12.2022

'Amit'

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