

Pooja

...Petitioner

Versus

Sh. Virat HCS

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent: Mr. Parth Goyal, Advocate
for the petitioner.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiation of proceedings against the respondent for intentional and willful defiance of order Annexure P/1 dated 07.09.2022, in CWP-20202-2022.

2. A perusal of order Annexure P/1 reveals that CWP-20202-2022, was disposed of by directing the respondent to decide representation dated 16.08.2022, by passing a speaking order within three weeks, from the date of receipt of certified copy of the order.

3. Learned counsel contends that despite expiry of time stipulated in order Annexure P/1, needful has not been done till date, therefore, the respondent is liable to be punished under the Contempt of Courts Act, 1971, besides the petitioner entitled to award of exemplary costs.

4. Issue notice to the respondent to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him, besides costs as prayed for be not awarded in favour of the petitioner.

5. Mr. Pawan Kumar Longia, DAG, Haryana, accepts notice on behalf of the respondent and on telephonic instructions from the respondent

while expressing regret on account of needful not having been done in the stipulated period of time states that if some time is granted needful would be done by passing a speaking order qua representation dated 16.08.2022.

6. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the instant petition but prays for issuance of directions to the respondent to adhere to the assurance held out by him through the learned State counsel and to decide representation dated 16.08.2022, within such period of time as is granted by this Court.

7. In view of the position noted above as well as statement of learned counsel for the parties, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971 at this stage, while directing the respondent to adhere to the assurance held out by the learned State Counsel on his behalf and to decide representation dated 16.08.2022, within one week from date of receipt of certified copy of the order and also to forward a copy of the decision to the petitioner through registered post within one week thereafter. However, in case needful is not done in the manner as indicated above, apart from the respondent rendering himself liable to action under the Contempt of Courts Act, 1971, respondent shall pay costs of Rs.25,000/- to the petitioner.

8. Rule discharged.

(B.S. Walia)
Judge

02.12.2022

monika

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