

(140) IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

COCP-2627 of 2022  
Date of decision: 02.12.2022

Manoj Kumar ...Petitioner

Versus

Virat ....Respondent

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

Present : Mr. Ravinder Singh Dhull, Advocate for the petitioner.  
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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 24.08.2022 in CWP No.18568 of 2022 in case titled as Manoj Kumar vs. Haryana Staff Selection Commission.

2. A perusal of order Annexure P/1 reveals that CWP-18568 of 2022 was disposed of by directing the respondent to look into representation dated 09.08.2022 filed by the petitioner and to pass an administrative order in respect thereto in accordance with law by taking into account the decision relied upon and in case the same was not found applicable in the case of the petitioner, to give reasons thereof with needful to be done within 30 days.

3. Learned counsel for the petitioner contends that despite expiry of period of time stipulated in order Annexure P/1 dated 24.08.2022, no decision has been taken on the representation dated

09.08.2022 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 for not taking action within the stipulated period of time, prays for one week's time to comply with order, Annexure P/1.

6. Learned counsel for the petitioner states that in view of the statement of the learned DAG, he does not press the instant petition and has no objection if the same is disposed of while directing the respondent to adhere to the assurance held out by him through the learned DAG and to take a decision on representation dated 09.08.2022 within such time as is deemed appropriate by this Court.

7. In view of the position noted above as well as the statement of learned counsel for the petitioner, 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 him through the learned DAG and to decide the claim of the petitioner as contained in representation dated 09.08.2022 within two weeks from today failing which apart from rendering him

liable for proceedings under the Contempt of Courts Act, 1971, the

respondent shall pay costs of Rs.25,000/- to the petitioner.

**(B.S. Walia)**  
**Judge**

02.12.2022  
*Amit*

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