

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

COCp-2632 of 2022
Date of decision: 02.12.2022

Parminder Kaur ...Petitioner

Versus

Sh. Gaurav YadavRespondent

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

Present : Mr. Ritesh Aggarwal, 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 06.09.2022 in CRM-M No.40564 of 2022 in case titled as Parminder Kaur vs. State of Punjab and others.

2. Learned counsel contends that despite order, Annexure P/1 dated 06.09.2022, no decision has been taken on representation dated 25.08.2022 filed by the petitioner 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.

3. 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.

4. Mr. Ayush Sarna, AAG, Punjab 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.

5. Learned counsel for the petitioner states that in view of the statement of learned AAG, 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 AAG and to take a decision on representation dated 25.08.2022 either by the respondent himself or by any other officer not below the rank of IPS Cadre in terms of order, Annexure P/1 within such time as deemed appropriate by this Court.

6. 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 AAG and to decide the claim of the petitioner as contained in representation dated 25.08.2022 either himself or through any other officer authorized by him in terms of order Annexure P/1 within two weeks from today failing which apart from the respondent being liable to action under the Contempt of Courts Act, 1971, he shall pay costs of Rs.25,000/- to the petitioner.

(B.S. Walia)
Judge

02.12.2022

Amit

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