

COC-4238-2019

Date of Decision : 11.11.2022

VIRENDRA SINGH MALHAN
AND OTHERS

...Petitioners

Versus

ANKUR GUPTA, IAS AND ORS

...Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. B.S. Bhatia, Advocate for
Mr. Sameer Sachdeva, Advocate for the petitioners.

Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/1 dated 10.09.2019 in CWP No.25275 of 2019 in case titled as Virendra Singh Malhan and others vs. State of Haryana and another.

[2] A perusal of order, Annexure P/1 reveals that CWP No.25275 of 2019 was disposed of by directing respondent No.1 herein to decide legal notice dated 18.01.2019 within two months from the date of receipt of certified copy of the order and in case the claim of the petitioners was accepted, consequential benefits, if any, were directed to be released to the petitioners in accordance with law and if the claim was not accepted then a well reasoned and speaking order was required to be passed and conveyed to the petitioners forthwith but in case the representation filed by the petitioners was not decided within two months then costs of Rs.25,000/- were to be paid to the petitioners.

[3] Learned DAG has furnished copy of affidavit dated 29.07.2020

along with copy of speaking order, Annexure R/1 dated 17.02.2020 and states that in view of order having been passed by respondent No.1 beyond the period of time stipulated in order, Annexure P/1, costs of Rs.25,000/- have also been paid to the petitioners.

[4] Copy of said affidavit along with copy of speaking order (Annexure R/1) has already been furnished to learned counsel for the petitioners who states that in view of order, Annexure R/1 and Annexure R/2 (i.e. photo copy of draft evidencing payment of costs of Rs.25,000/- to the petitioners), he does not press the instant petition but prays for grant of liberty to the petitioners to pursue the writ petition already filed by them challenging order, Annexure R/1 dated 17.02.2020.

[5] In view of the position noted above as well as the statement of learned counsel for the petitioners, 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 petitioners as prayed for.

(B.S. Walia)
Judge

11.11.2022

'Amit'

- | | |
|-------------------------------|---------|
| 1. Whether speaking/reasoned: | Yes/No. |
| 2. Whether reportable : | Yes/No. |