

COCp-4292-2019

Date of Decision :28.09.2022

ASHOK KUMAR

...Petitioner

Versus

SUDHIR RAJPAL AND ANOTHER

....Respondents

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 respondents for intentional and willful defiance of order, Annexure P/1, dated 10.04.2019 in CWP No.9664 of 2019 in case titled as Ashok Kumar vs. The State of Haryana and Ors.

[2] A perusal of order, Annexure P/1 reveals that the prayer in the said writ petition was to constitute a separate Sabha Area by bifurcating and including the area from the Sabha Area of Village Seman as it fulfilled the conditions required for constituting separate Panchayat in view of the Provisions of Sections 7 and 8 of the Haryana Panchayati Raj Act, 1994. The writ petition was disposed of with a direction to the Deputy Commissioner, Rohtak, District Rohtak to take action on the pending representation dated 02.11.2018 in accordance with law preferably within three weeks from the date of receipt of certified copy of the order after taking into account the resolution passed by the Panchayat.

affidavit of Capt. Manoj Kumar, IAS, Deputy Commissioner, Rohtak dated 03.02.2022, notification of Reorganization Committee, Annexure R/1 dated 10.04.2020 as also notification of Bifurcation of Gram Panchayats, Annexure R/2 dated 08.04.2021 contends that in view of Annexure R/2 dated 08.04.2021, needful has been done by declaring the name of the newly sabha area/Gram Panchayat as “Seman Pana Todar (Hadbast No.115)” out of existing Gram Panchayat as “Seman” and that in the circumstances, action as per law having been taken, no action under the Contempt of Courts Act, 1971 is called for against the respondents. The aforementioned compliance report dated 03.02.2022 along with Annexures R/1 and R/2 is stated to have already been supplied to learned counsel for the petitioner. However, none is present on behalf of the petitioner. Accordingly, no useful purpose would be served by keeping the instant petition pending.

[4] In view of the position noted above, the contempt petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971 while granting liberty to the petitioner to challenge order, Annexure R/2 dated 08.04.2021 by way of appropriate proceedings in accordance with law, if so warranted.

[5] Rule discharged.

(B.S. Walia)
Judge

28.09.2022
'Amit'

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