

2024:PHHC:132757

190 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCOCP-3789-2024 (O&M)
Decided on:-04.10.2024

M/s Go Live thr. its authorised Partner Vinay SharmaPetitioner..

vs.

Dr. Narhari Singh Banger, Commissioner, MC, GurugramRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJAPresent: Mr.Vikram Singh, Advocate and
Mr. Ishnoor Singh, Advocate for the petitioner.

HARKESH MANUJA J. (Oral)

1. By way of present petition, prayer has been made for initiation of contempt proceedings against the respondent on account of alleged willful non-compliance of order dated 03.09.2024 passed by this Court in CWP-21972-2024. The operative part thereof is reproduced hereunder:-

“3. Mr. Randhir Singh, Addl. A.G., Haryana, who has appeared on behalf of respondent No.3/M.C. in this case, pursuant to the advance copy of petition having been sent to the Municipal Corporation, Gurugram, submits that in case, any such representation is received in the office of respondent No.3 (Municipal Corporation, Gurugram through Commissioner), the same would be decided at the earliest by passing a speaking order and in any case within a period of two weeks from the date of receipt/production of the certified copy of this order.

4. In view of the aforesaid submissions made by the respective counsel, the petition is disposed of, accordingly.

5. All pending application(s), if any, shall also stand closed.”

2. Notice of motion.

3. At the asking of the Court, Mr.Vivek Saini, Advocate, who is present in Court accepts notice on behalf of the respondent and submits that the speaking order in terms of decision dated 03.09.2024 in CWP-21972-2024 shall be passed by the respondent within a period of one week from today. He further submits that the delay in passing the speaking order occurred on account of ensuing assembly election in State of Haryana. He also submits that the petitioner shall be given 03 bank working days for deposit of payment from the date of passing of speaking order and the payment shall be accepted without any late fee. He further submits that the copy of the order passed by the respondent shall be communicated to the petitioner on his mobile whatsapp, email as well as through registered post and the period of 03 working bank days shall commence from the date when the speaking order is served upon the petitioner on his mobile whatsapp/mail.

4. In view of the above stand of the respondent, no further orders are required to be passed in the present petition, as such, the same is disposed of. Rule stands discharged.

5. However, in case the needful is not done within the aforementioned period, as per the undertaking, the petitioner would be at liberty to seek revival of contempt petition and in that eventuality, the erring/concerned officer would be liable to pay a sum of Rs.50,000/- as costs from his/her own pocket in favour of the petitioner towards litigation expenses, immediately, i.e. on the first date of listing of revival application.

04.10.2024

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No