

COCP-2244-2022

Date of Decision :12.12.2022

Waryam Singh ...Petitioner

versus

Rahul Hooda and another ....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Ajit Singh, Advocate for  
Mr. Ankit Aggarwal, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

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B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiation of proceedings against the respondents for intentional and willful defiance of order, Annexure P/2 in CWP-5524-2022.

2. A perusal of order Annexure P/2 reveals that CWP-5524-2022 was disposed of by directing that copy of complaint dated 18.06.2019 be forwarded by the office of respondent No.2 to respondent No.3 who was to personally look into the same, cause an enquiry to be done and to communicate decision on the same to the petitioner within six weeks from the date of receipt of certified copy of the order.

3. On 10.11.2022, learned counsel for the petitioner requested for an adjournment to go over the reply filed by the DAG and to address arguments whereupon the case was adjourned for today.

4. Learned State counsel refers to order Annexures R-1 29.10.2022 holding that there was no merit in complaint dated 18.06.2019 filed by the complainant (petitioner) therefore, the same was ordered to be filed. Learned State Counsel also refers to

Annexure R-2 dated 29.10.2022 i.e. copy of letter conveying speaking order to the petitioner vide registered post bearing No.5858/MA and contends that in view of the needful having been done and reply alongwith Annexures supplied to learned counsel for the petitioner on the previous date, no action is called for against the respondents.

5. Learned counsel for the petitioner states that in view of the needful having been done in terms of Annexure R/2 dated 29.10.2022, he does not press the instant petition but prays for grant of liberty to the petitioner to challenge order Annexure R/2 dated 29.10.2022, by way of appropriate proceedings, in accordance with law.

6. In view of the needful having been done in terms of order Annexure P-2, besides statement of learned counsel for the petitioner, the instant 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 dated 29.10.2022 by way of appropriate proceedings in accordance with law if so advised.

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

13.12.2022

ps

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