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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-1755-2019
Date of decision: 21.08.2019

Rajesh Kumar .. Petitioner

Versus

Rajesh Dhiman and another .. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Yogesh Goel, Advocate
for the petitioner.

Mr. Raj Partap Singh Brar, Advocate for
for the respondents.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading wilful disobedience of the order dated 17.05.2018 passed by this Court in CWP No. 12441 of 2018. The operational part of the order is quoted below:

“After hearing the learned counsel for the petitioner, without commenting on the merits of the case and looking at the limited prayer made before us, we deem it appropriate to dispose of the present appeal with a direction to the appellate authority to consider the appeal of the petitioner and decide the same expeditiously, preferably within a period of four months from the date of receipt of certified copy if the order. Ordered accordingly.”

The direction was given to the appellate authority to consider the appeal of the petitioner and decide the same expeditiously, preferably within four months.

Learned counsel for the petitioner fairly submits that the appeal

has already been decided and the matter was remitted back to respondent No. 2-Estate Officer. The grievance raised by the learned counsel for the petitioner is that the similar situated persons have already been granted relief and the petitioner has been denied the same by remanding the matter. He further submits that the matter is pending after remand.

In view of the aforesaid facts that the directions of this Court has been complied with. No further interference is called for in this contempt petition.

The contentions raised by the learned counsel for the petitioner do not fall in the ambit of the contempt proceedings in the present case. The directions were to the appellate authority to decide the appeal within a time bound manner. The issue whether the case of the petitioner is at par with the other alleged persons, who have been granted relief, cannot be gone into the present proceedings. Moreover, with regard to the remand proceedings being pending for so long, also cannot be gone into absence of pleading. There is nothing on record to show that the said case is being delayed by the Estate Officer.

In view of the above, the present contempt petition is disposed of as infructuous.

Rule issued against the respondent stands discharged.

(AVNEESH JHINGAN)
JUDGE

21st August, 2019
shabha

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