

COCP-2545-2020

Date of Decision: 03.12.2020

Shankar Kumar

...Petitioner

vs.

Shatrujeet Kapur

...Respondent

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Arvinder Arora, Advocate for the petitioner.

Ms. Baani Chhibber Mahajan, Advocate for the respondent.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.
2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, is for initiation of proceedings against the respondent for willful disobedience of order/direction dated 26.02.2020, in CWP-4189-2020.
3. Learned counsel contends that vide order Annexure P/2 dated 26.02.2020, CWP-4189-2020 was disposed of by directing the respondent to consider and decide representation dated 22.08.2019, in accordance with law, after taking into account all aspects of the matter, within four months of receipt of certified copy of the order, but despite lapse of the aforementioned period of time, needful has not been done by the respondent, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful disobedience of order Annexure P/2 dated 26.02.2020, in CWP-4189-2020.
4. Learned counsel appearing on behalf of the respondent has

referred to speaking order Annexure R/1 dated 24.11.2020, attached along with the reply, deciding representation dated 22.08.2019. The same is already on the record. Copy thereof supplied to learned counsel for the petitioner, who on perusal thereof, states that in the circumstances, he does not press the Contempt Petition and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 24.11.2020, by way of appropriate proceedings in accordance with law.

5. The same is not opposed by learned counsel for the respondent.

6. Accordingly, in the light of statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed with the liberty as prayed for.

(B.S. Walia)
Judge

03.12.2020
'Rajesh-PS'

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