

[228] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No.1532 of 2021(O&M)
Date of Decision :23.03.2022

Daljeet Kaur ...Petitioner

versus

Anurag Aggarwal, IASRespondent

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

Present : Mr.Rahul Kumar, Advocate for
Mr. Umesh Aggarwal, Advocate for the petitioner.
Mr. Aditya Sharda, Asstt. A.G., Punjab.

B.S. Walia, J. (Oral)

Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[1] Prayer in the petition under Sections 10 & 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India is for initiating action against the respondent for intentional and willful defiance of order (Annexure P-1) dated 02.04.2019 in CWP No.40389 of 2018.

[2] A perusal of order (Annexure P-1) reveals that CWP No.40389 of 2018 was disposed of by directing respondent No.1 to consider and decide representation dated 22.09.2016 within 06 weeks from the date of receipt of certified copy of the judgment and in case, on consideration, the competent authority arrived at the conclusion that the benefit claimed by the petitioner was admissible to her, release consequential benefits to the petitioner within 06 weeks thereafter. However, in case the competent authority arrived at the conclusion that the petitioner was not entitled to the relief claimed, in that eventuality, a

speaking order was required to be passed in the matter.

[3] Learned AAG has filed reply along with order (Annexure R-1) dated 24.06.2019, deciding the representation and rejecting the claim of the petitioner. The same has already been supplied to learned counsel for the petitioner, who states that in the circumstances, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such, while granting liberty to the petitioner to challenge order (Annexure R-1) dated 24.06.2019 by way of appropriate proceedings in accordance with law.

[4] In the light of the position noted above, as well as statement of learned counsel for the petitioner, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971, while granting liberty to the petitioner, as prayed for.

[5] *Rule discharged.*

(B.S. Walia)
Judge

23.03.2022
'Rajneesh'

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