

COCP-176-2022

Date of Decision :23.02.2022

Pardeep

...Petitioner

Versus

Isha Kamboj

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Govind Mor, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition under Sections 11 and 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 orders, Annexure P/1 dated 23.09.2021 in CWP No.19100 of 2021.

[2] A perusal of orders, Annexure P/1 dated 23.09.2021 reveals that CWP No.19100 of 2021 was disposed of by directing the Haryana Staff Selection Commission, Panchkula to consider the claim of the petitioner for award of 5 marks under the socio-economic criteria and 2.5 marks for experience for selection to the post of Clerk/LDC in accordance with the law, rules, regulations and instructions within two months from the date of receipt of certified copy the order and if some action in the matter was warranted, then the needful be done in accordance with law by conveying speaking order to the petitioner.

[3] Learned counsel contends that pursuant to the issuance of notice, the respondent today has served a copy of the speaking order dated 15.02.2022 rejecting the claim of the petitioner for award of marks

as prayed for and 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 dated 15.02.2022 by way of appropriate proceedings in accordance with law. The aforementioned decision is taken on record.

[4] Learned DAG also contends that in view of the needful having been done, the contempt petition may be disposed of as not calling for any action against the respondent under the Contempt of Courts Act, 1971.

[5] I have considered the submissions of learned counsel.

[6] Admittedly, in terms of orders, Annexure P/1 dated 23.09.2021 in CWP No.19100 of 2021, decision dated 15.02.2022 has been taken by the respondent rejecting the claim of the petitioner though beyond the stipulate period of time. However, in view of orders dated 15.02.2022 having been passed in terms of orders dated 23.09.2021 in CWP No. 19100 of 2021 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 to challenge order dated 15.02.2022 by way appropriate proceedings in accordance with law.

[7] Rule discharged.

(B.S. Walia)
Judge

23.02.2022

'Amit'

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