IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

COCP NO 0F 2018

IN C.W.P. No. 24567 of 2017

Sanjay Kumar Thakran (aged about 36 years) son of Sh. Ram Chander Thakran,resident of VPO Jharsa,Patti Panchiya,Distt. Gurugram.

-------------Petitioner

**VERSUS**

Smt. Minakshi Anand Arora I.A.S. Additional Chief Secretary-cum-Financial Commissioner to Govt. of Haryana, Revenue Department , New Haryana Civil Secretariat, Sector -17 Chandigarh.

Chandigarh SURESH AHLAWAT

DATED 15.8.2018 ADVOCATE

COUNSEL FOR THE PETITIONER

Contempt Petition under Section 12 of the Contempt of Court Act-1971 for initiating contempt proceedings against the respondents for non-compliance and non-implementing the order dated 31.10.2017 passed in CWP no. 24567 of 2017 titled as Sanjay Kumar Thakran Versus State of Haryana by this Hon,ble Court willfully and deliberately.

RESPECTFULLY SHOWETH:

1. That the petitioners being aggrieved from non-compliance of order dated 31.10.2017 on part of respondent intentionally and deliberately is entitled to invoke inherent jurisdiction of this Hon,ble Court by filing present petition under section 12 of the Contempt of Courts Act,1971.
2. That the petitioners had filled a civil writ petition no. 24567 of 2017 titled as Sanjay Thakran versus State of Haryana before this Hon,ble Court. The petitioners have filed the writ petition seeking following relief :-

CIVIL WRIT PETITION Under Article 226 of the Constitution of India for issuance of writ in the nature of Mandamus directing the respondent to publish in the Official Gazette of Haryana for attachment of the immoveable property of the defaulters (Annexure P-3) in the terms of the section 4(1) (ii) of the “ The Haryana protection of Interst of Depositors in Financial Established “Act .2013

1. That the above noted writ petition came up for final hearing on 31.10.2017 and the Hon,ble Mr. Justice Rajan Gupta disposed of that writ petition with the direction that representation Annexure P-5 in the office of the respondent if received , may kindly be looked into and appropriate action as deemed fit be taken thereon. A Copy of the order dated 31.10.2017 passed by this Hon,ble Court and representation dated 25.8.2017 submitted by the petitioner to the respondent are annexed herewith as **Annexure P-1 and Annexure P-2 .**
2. That the petitioner immediately sent a copy of the order passed by the this Hon,ble Court along with docket by the Registrar of this Hon,ble High Court. Moreover, the petitioners also had supplied a certified copy of the order dated 31.10.2017 to the office of the respondents on dated 10.11.2017 and requested to take immediate compliance of the order.
3. That despite supplying the copy of the order , the respondents did not take any action on the representation of the petitioner. Petitioner met the official of the respondent many times to know the status of his case official of the respondent told to the petitioner that your case is not related to this office and further told that your case has been sent by this office to the Finance department on **4.4.2018 vide letter no. U.O.No.149 –R-2-2018/476 IFCC Branch 7th floor main Sectriate Haryana Chandigarh**. Than he contacted to the official of the Financial Department they told to the petitioner that your case wrongly sent to our department by the Revenue Department and our department have no power /jurisdiction to publish the order passed by the Court of the District Magistrate Gurugram in official Gazette for attachment of the immovable property of the defaulters under section 4 of the “ The Haryana protection of Interest of Depositors in Financial Established “Act .2013 and further told to the petitioner that your case returned back to the Revenue Department . Then , petitioner approached to the office of the respondent and official told him that yours case still is pending before the Department of Finance.
4. That despite repeated requests and frequent visits, grievance of the petitioners has not yet been redressed. Even they are not listened by the respondent and respondent is not caring about order passed the Hon,ble Court.
5. That more than eight months have expired from the date of passing of order dated 31.10.2017 by this Hon,ble High Court , but the respondent did not pay any heed and is not implementing the order for its compliance. The act and conduct of the respondent shows clear cut willful and deliberate disobedience of the order dated 31.10.2017 passed by this Hon,ble High Court.
6. That no such or similar petition has earlier been filed either before this Hon,ble Court or Hon,ble Supreme Court.

It is, therefore, respectfully prayed that present contempt petition may kindly be allowed, contempt proceeding against the respondents for non-compliance and non-implementing the order dated 31.10.2017 passed in CWP no. 24567 of 2017 by this Hon,ble Court willfully and deliberately may kindly be initiated under the provision of the Contempt of Courts Act, 1971, in the interest of justice.

Any other relief to which this Hon’ble Court deems fit and proper in the peculiar facts and circumstances of the present case may also be granted in favour of the petitioners.

It is further prayed that the petitioners may kindly be exempted from certified/true typed copy of annexure P-1and P-2, in the interest of justice.

Chandigarh SURESH AHLAWAT

DATED : 15..8.2018 ADVOCATE

COUNSEL FOR THE PETITIONER

IN THE HIGH COURT OF PUNJAB & HARYANA

AT   CHANDIGARH

COCP NO 0F 2018

IN C.W.P. No.24567 of 2017

Sanjay Thakran -----------Petitioner

                                      Versus

Smt. Minakshi Anand Arora  ------------Respondent

Total Amount of Court Fee Affixed.

SURESH AHLAWAT

Chandigarh Advocate

Dated: 15.8.2018                   Counsel for the Petitioner

IN THE HIGH COURT OF PUNJAB & HARYANA

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Sanjay Thakran -----------Petitioner

                                      Versus

Smt. Minakshi Anand Arora  ------------Respondent

Affidavit of Sanjay Kumar Thakran (aged about 36 years) son of Sh. Ram Chander Thakran,resident of VPO Jharsa,Patti Panchiya,Distt. Gurugram.

I, the above named deponent, do hereby solemnly affirm and declare as under:-

1. That the contents of paras of the petition are true and correct to my knowledge . No part therein is false and nothing material has been kept concealed therein.
2. That no such or similar petition has been filed by the deponent either in this Hon’ble Court or before the Hon’ble Supreme Court of India.

CHANDIGARH

DATED:- .8.2018 DEPONENT

VERIFICATION: Verified that the contents of paras of my above affidavit are true and correct to my knowledge . No part of it is false and nothing has been concealed therein.

CHANDIGARH

DATED .8.2018 DEPONENT

IN THE HIGH COURT OF PUNJAB & HARYANA

AT   CHANDIGARH

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Sanjay Thakran -----------Petitioner

                                      Versus

Smt. Minakshi Anand Arora  ------------Respondent

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CHANDIGARH SURESH AHLAWAT

ADVOCATE

DATED:  15.8.2018        COUNSEL FOR THE PETITIONER