

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2116 of 2023

Applicant :- Shri Sanjeev Srivastava

Opposite Party :- Shri Kunal Silku, M.D. Of Pradeshik Co-Operative Dairy Federation Ltd., Lko.

Counsel for Applicant :- Sanjeev Kumar Srivastava

Counsel for Opposite Party :- Lalit Shukla

Hon'ble Rajesh Singh Chauhan,J.

1. Heard learned counsel for the petitioner and Sri Lalit Shukla, learned counsel for the opposite party.
2. This has been admitted at the bar that the entire claim of the petitioner has been paid by the opposite party, however, he has not been paid the interest.
3. Learned counsel for the petitioner has further submitted that it is settled law that if the admissible dues are paid after a substantial delay, the claimant would be entitled for the interest.
4. Having regard to the order of Writ Court dated 27.01.2023 and also the copy of order dated 16.08.2016 preferred by Deputy Secretary Department presenting MD, PCDF, which has been shown by the petitioner, I find that the direction for payment of admissible dues was issued and the same has been paid. Further, there is no direction to make payment of interest on the aforesaid letter dated 16th of August, 2016 and in the order of Writ Court dated 27.01.2023 but the fact remains that if the admissible dues have been paid after a substantial delay, the petitioner may very well claim the interest on the delayed payment but no such direction can be issued by the Contempt Court.
5. Accordingly, the present contempt petition is ***dismissed***.
6. Notice, if any, stands discharged.
7. However, it is always open for the petitioner to claim the interest on the delayed payment before the Competent Authority/Competent Court of law.

[Rajesh Singh Chauhan,J.]

Order Date :- 14.12.2023

kkv/