

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

COCN No. 1474 of 2014 (O&M)

Date of Decision: 12.01.2015.

Kulwant Singh Chawla

--Petitioner

Versus

Ranjit Singh Gill

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vipul Dharmani, Advocate for
Mr. Rahul Sharma, Advocate for the petitioner.

Mr. Gurminder Singh, Sr. Advocate with
Mr. M.S. Longia, Advocate for the respondent.

TEJINDER SINGH DHINDSA.J

The instant contempt petition has been filed asserting willful disobedience of an order dated 26.4.2014, whereby CWP No.7835 of 2014 had been disposed of by a Division Bench of this Court as infructuous.

Suffice it to observe that the writ petition was filed by the residents of Gillco Towers, Gillco Valley, Kharar, Mohali impugning an order dated 18.3.2014, whereby maintenance services of the residential colony had been handed over to M/s Gillco Towers Residents Welfare Society. The writ petition was disposed of as infructuous by taking cognizance of a statement having been made by learned counsel appearing for the petitioner in terms of which the Builder-cum-Developer had reversed its decision and had decided to continue with the maintenance services of the residential locality. Such state of affairs had also been acknowledged by learned senior counsel appearing for the Builder-cum-Developer.

Learned counsel appearing for the petitioner in the present contempt petition would submit that even though the maintenance services

as of date are being provided by the Builder-cum-Developer, yet, an amount of Rs.9.5 lacs that had been contributed by the residents of the colony is still with the society i.e. M/s Gillco Towers Residents Welfare Society.

Learned senior counsel appearing for the respondent upon instructions from Col. Manmohan, Chief Administrator would respond to such submission by stating that such corpus of Rs.9.5 lacs would be made good by the Builder-cum-Developer itself and would be utilized towards maintenance services to be provided to the residential colony so as to safeguard their interests.

This Court is satisfied that the stand taken on behalf of the Builder-cum-Developer is fair and just.

In the light of the facts noticed herein above, nothing would survive in the instant contempt petition and the same is accordingly disposed of as having been rendered infructuous.

Rule discharged.

It is, however, clarified that by virtue of such arrangement, whereby the Builder-cum-Developer would make good the corpus of Rs.9.5 lacs for utilization towards maintenance services to the residential colony, its rights as regards raising claims strictly in accordance with law against M/s Gillco Towers Residents Welfare Society would not stand impeded.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

January 12, 2015.
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