

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

COCP No.214 of 2015 (O&M)

Date of Decision: 9.7.2015

M/s Krishna Arjun Buildtech Pvt. Ltd.

.... Petitioner

vs.

Anurag Rastogi

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Sunil Rana, Advocate for the petitioner.

Mr. Deepaj Manchanda, Addl.AG Haryana.

Rakesh Kumar Jain, J.(Oral)

The petitioner has invoked the provisions of Section 12 of the Contempt of Courts Act, 1971 for alleged willful disobedience of the order dated 25.4.2014 passed by the Principal Secretary to the Government of Haryana, Town and Country Planning Department, Chandigarh (Appeals).

Counsel for the petitioner has submitted that the operative part of the order dated 25.4.2014 is as under:

“Licence fee deposited by them could be either refunded, if so requested, as per policy or it could be adjusted for any future permissible activity.”

Counsel for the respondent has submitted that licence fee could either be adjusted or refunded but it could be only on the

request of the petitioner whereas no request has been made so far.

I have heard learned counsel for the parties and after examining the record, am of the opinion that present petition is not maintainable as the respondents have not refused to either refund the licence fee deposited by the petitioner or adjust it in future permissible activity as per policy because no such request so far has been made by the petitioner. Thus, the present petition is dismissed as not maintainable.

9.7.2015
Meenu

(Rakesh Kumar Jain)
Judge