

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
103.**

COCP No. 3405 of 2014

DATE OF DECISION: May 19, 2015

Ashok Bansal

.....Petitioner

VERSUS

Shri Pankaj Aggarwal and another

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ashish Aggarwal, Senior Advocate,
with Ms. Ritu Pathak, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is not in dispute that most of the amounts, which the petitioner was entitled to, have been refunded except for scrutiny fee and the building plan fee. Learned senior counsel for the petitioner contends that these two amounts were also required to be refunded to the petitioner and in support of this contention, he has referred to para Nos. 6 and 7 of the judgment dated 04.09.2014 (Annexure P-1). A perusal of the same indicates that the Court was aware of the fact that some amount was refundable and the others were not, as is apparent from para-6 of the said order. The observations made in para-7 of the said order has to be read in consonance with para-6 and in continuation thereof, which apparently

indicated that some amount could be retained by the respondents as the same was not refundable and in the said order, it is not mentioned that entire amount, which was deposited by the petitioner, had to be refunded. It, thus, cannot be said that the respondents have violated the order passed by this Court. However, it would be open to the petitioner to avail of his remedy, in accordance with law, if he is of the firm belief that the amount, which was retained by the respondents, is refundable to him and could not have been retained by the respondents.

With these observations, the present contempt petition is disposed of as infructuous.

May 19, 2015
pj

(AUGUSTINE GEORGE MASIH)
JUDGE