

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

COCp No.125 of 2016

Date of Decision :18.1.2016

Kirpal Singh

....Petitioner

Versus

Adapa Karthik

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr. Varinder Singh Rana, Advocate
for the petitioner.

.....

MAHESH GROVER.J.

The petitioner alleges non-compliance of the directions of this court which are extracted herebelow :-

“4. Learned counsel for the petitioner submitted that the requisite documents had already been submitted to the respondent but vide letter dated 02.09.2013(Annexure P-17), the amount has been refunded to the petitioner. He, however, states that the requisite amount on account of transfer fee shall again be deposited with the respondent. On deposit of the requisite transfer fee and in terms of the office order dated 07th April, 2015, the respondent shall pass a fresh order and in case, any condition is required to be

complied with, the same shall be complied with by the petitioner in accordance with law. The needful be done within three months from the date of receipt of a certified copy of this order.”

The respondent in turn has communicated to the petitioner that one Gurcharan Kaur daughter-in-law of Swaranjit Kaur who is a GPA holder and has a Will in her favour has approached them with a prayer that property D.unit No.3009/1, Sector 47-D, Chandigarh be not transferred in anyone's name.

The authority has thus advised the petitioner to settle the dispute with the claimant and inform the office so as to enable them to comply with the order of the writ court. The petitioner has responded by making a representation dated 22.7.2015.

Alleging non-compliance of the aforesaid directions of the writ court, the petitioner prays for initiation of contempt proceedings against the respondent.

On due consideration, I am of the view that the prayer of the petitioner cannot be granted considering the fact that there may be a genuine dispute where one Gurcharan Kaur daughter-in-law of Swaranjit Kaur claims to be a power of attorney holder and beneficiary of a Will. Evidently, this dispute necessarily has to be settled and the competent authority is very well within its

right to await clearance of the dispute before it embarks upon the
compliance of the order of the writ court.

Petition dismissed.

18.1.2016
dss

(MAHESH GROVER)
JUDGE