

COCN No. 3185 of 2015 (O&M)

Date of decision: October 24, 2016

Jagdish Chander Khanna

.....Petitioner

Versus

Gian Chand Sharma

....Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. N.K.Malhotra, Advocate,
for the petitioner.

Mr. S.K.Mahajan, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the respondent states that the amount due to the petitioner, in compliance with the order passed by this Court and having accepted the claim of the petitioner, has been released. He further states that inadvertently excess payment has been made as it has been granted to the petitioner from the date it became due rather the arrears have been restricted to 38 months prior to the date of the filing of the writ petition.

If that be so, the respondent is at liberty to recover the excess amount after giving the petitioner an opportunity to respond through recovery notice. Liberty is also granted to the petitioner to file an appropriate application before this Court in the present contempt petition in

case the assertion, as made by the counsel for the respondent, is found to be incorrect.

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

Rule issued to the respondent stands discharged subject to above.

October 24, 2016

pj

(AUGUSTINE GEORGE MASIH)

JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No