

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.4972 of 2005

Date of Decision.11.03.2016

Chief Administrator, Haryana Urban Development Authority, Panchkula
and othersPetitioners

Vs.

Ratna Ram MalikRespondent

Present: Mr. Prateek Gupta, Advocate
for the petitioners.

None for the respondent.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The revision is against an order passed by the Appellate Court in purported exercise of jurisdiction under Order 39 Rule 2A CPC. The plaintiff had pending suit obtained the relief of injunction against HUDA authorities from claiming interest till the certain works have been accomplished by HUDA. The HUDA issued a notice after the interim order was passed directing the plaintiff to pay three charges as under:-

- | | |
|---------------------------------------|---------------|
| “1. Compounding charges of violations | :Rs.3991.00 |
| 2. Due against instalments | :Rs.36610.00 |
| 3. Amount of enhancement | :Rs.20775.00” |

2. The plaintiff complained that the notice constituted a willful disobedience of order of injunction. The contest entered by HUDA was that none of charges of claim made, constituted a demand for interest and therefore, there was no disobedience of the order. The

trial Court accepted the contention taken in defence and dismissed the application. In the appeal filed by the plaintiff, the Appellate Court has held that compounding charge is akin to demand of compound interest. Except the phonetic similarity of the expression, there is hardly anything similar to compounding interest and compounding charges.

3. The order is erroneous and it is set aside. The civil revision is allowed.

(K. KANNAN)
JUDGE

March 11, 2016
Pankaj*