

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

COCP No. 1583 of 2015 (O&M)

Date of Decision: May 16, 2017.

Ashwani Kumar Arora and others

....Petitioners

Versus

Sakatar Singh Bal

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr.G.S.Bhandal, Advocate
for the petitioners.

Mr.A.K.Arora, Advocate
for the respondent/Improvement Trust.

Mr.V.Ramswaroop, Addl.A.G., Punjab

Rajan Gupta, J (Oral)

Learned counsel for the petitioners submits that petitioner Nos. 2,5, 6 & 7 have accepted the refund amount in view of the directions given by the writ court. They are thus satisfied and contempt has been purged. Petition is dismissed qua them.

Stand of the Improvement Trust is that petitioner Nos. 3, 4 & 8 have opted for allotment of booths. He has filed a short affidavit of Jatinder Singh, Executive Officer, Batala Improvement Trust and has referred to para Nos. 3 & 4. Same read as under:-

“para 3- That the contempt petition No.1583 of 2015 was filed by the eight petitioners and out of the said eight petitioners, four petitioners namely Ashwani Kumar Arora petitioner no.1, Sukhbir Singh, petitioner no.3, Bashinderpal Singh petitioner no.4 and Sunil Shelly petitioner no.8 were already to get the plot

from the Improvement Trust, Batala. In compliance to the order dated 18.2.2015 passed in CWP No.1140 of 2012. The said petitioners 1, 3, 4 and 8 had also written a request letter to the office of Improvement Trust, Batala for the waiving of interest during the pendency of the litigation and for issuance of new schedule of payment for the payments of their booth in question. True typed copies of their request letters are annexed herewith as Annexure R/4 (colly).

4-That the said request letters made by the petitioners no.1, 3, 4 and 8 (R-4 Colly) were acceded by the Improvement Trust, Batala and the new schedule of payment of remaining amount were issued to them vide letters dated 15.11.2016 (annexure R-1). The payments of the remaining respondents i.e respondents no.2, 5 to 7 alongwith the interest thereupon were made to them.”

In view of above, it appears that no cause of action survives in this petition.

Disposed of.

Petitioners shall, however, be at liberty to seek revival of the petition in case any grouse subsists.

(Rajan Gupta)
Judge

May 16, 2017.

BB

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No