

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

**COCP No.2471 of 2016
Date of decision: 11.08.2017**

Sandeep Kumar and another

..Petitioners

Versus

Sukhjeet Singh Bains and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

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

Ms. Anu Chatrath Kapur, Addl. A.G., Punjab
for the respondents.

Daya Chaudhary, J. (Oral)

Learned counsel for the petitioners submits that the identical COCP No.395 of 2016 titled as Avtar Singh and others vs. C. Sibani and another, decided on 27.04.2017 was disposed of in terms of order passed in COCP No.1418 of 2015. Learned counsel also submits that in that case, the amount was not deposited but in the present case, the petitioners have deposited their share. The factual position has not been disputed by learned counsel for the respondents.

Order passed in COCP No.1418 of 2015 is reproduced as under:-

“Learned State counsel submits that order passed by this Court on 19.3.2013 in CWP No. 5906 of 2013 could not be complied with as the amount which was required to be deposited by the petitioners have not been deposited by them.

Learned counsel for the petitioners submits that the

amount which was to be deposited has to be specified by the respondents.

The respondents are directed to intimate the petitioners as to how much amount has to be deposited by them. The necessary exercise be done within a period of two weeks from today and thereafter the petitioners are directed to deposit the said amount within a period of two weeks thereafter.

In case, said exercise is done within the stipulated time, then respondents are directed to comply with the order within a period of one month thereafter.

Contempt petition stands disposed of.

In case the order passed by this Court in the writ petition as well as the directions issued today in the contempt petition are not complied with, the petitioners are at liberty to move an application for revival of the contempt petition.”

In COCP No.1418 of 2015, direction was issued to the respondents to intimate the petitioners as to how much amount has to be deposited by them but in the present case, the amount has already been deposited and as such, a direction is issued to the respondents to do the necessary exercise as has been done in COCP No.395 of 2016, COCP No.453 of 2016 and COCP No.1418 of 2015, within a period of three weeks if, the amount has already been deposited.

The contempt petition is disposed of accordingly.

11.08.2017
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No