

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

**COCP 548/2017(O&M
Date of decision:27.04.2017.**

Anil Kumar Aggarwal @ Anil Aggarwal

.....Petitioner

v.

Amit Kumar,Deputy Commissioner

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- None for the petitioner.

Mr.Anant Kataria,DAG Punjab

Jaswant Singh,J,(Oral).

Petitioner was auction purchaser of land measuring 80 kanals for excavation of the land for preparing raw bricks. He deposited total bid amount to Gram Panchayat,Manwal by 19.10.2005 and also allegedly incurred further expenditure to the tune of Rs.10 lacs for making bricks. Some villagers filed CWP 1274/2007 for stopping the petitioner from excavating land so that trees standing thereon could not be uprooted. The said writ petition was disposed of on 9.1.2009 with the direction that trees could not be harmed and ultimately petitioner was not allowed to work on the auctioned land. Thereafter, petitioner approached authorities concerned for the refund of auction amount alongwith refund of expenditure incurred on the the land alongwith interest. Having failed to elicit any response from the authorities, he filed CWP 27117/2016 in this Court which was disposed of vide order dated 23.12.2016 with a direction to authorities concerned to consider the grievance of the petitioner raised vide his legal notice

dated 30.11.2016, in accordance with law within a period of six weeks from the date of receipt of certified copy of the said order dated 23.12.2016.

Alleging disobedience of said order dated 23.12.2016, instant contempt has been filed.

Upon notice, by way of CM 9043-CII/2017, short reply by way of affidavit of Neelima, IAS, Deputy Commissioner, Pathankot has been filed stating therein that legal notice dated 30.11.2016 of the petitioner has been disposed of vide speaking order dated 17.4.2017(R-1) and R-1/T. As per said speaking order, petitioner was summoned on 17.4.2017 but he chose not to appear before the answering respondent and thereafter after seeking reports from the local officials, claim of the petitioner for refund of auction money alongwith expenditure alongwith interest has been rejected vide said speaking order R-1 and R-1/T. The said application is allowed and reply alongwith annexure is taken on record.

In view of the contents of the reply, it is apparent that due compliance of the order dated 23.12.2016 passed by this Court has been made and no further action is warranted in the instant contempt petition. Petitioner, if so advised, may seek legal remedies available to him in accordance with law.

Dismissed as infructuous.

27.04.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No