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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 294/2017 & CM APPL. 14254/2017

DR KANWARJIT SINGH CHADHA

..... Petitioner

Through: Mr. Jugal Wadhwa, Advocate with
Mr. Ramandeep Bawa and Mr. Parth
Kaushik, Advocates.

versus

RITESH PROPERTIES AND
INDUSTRIES LTD & ORS

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

26.04.2017

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Present contempt petition has been filed alleging wilful disobedience of the order dated 27th November, 2012 passed in CS(OS) 1510/2011 wherein the suit was disposed of as compromised in terms of the Settlement Agreement dated 05th November, 2012.

It is pertinent to mention that vide Settlement Agreement dated 05th November, 2012, respondents agreed to deposit Rs.3,80,000/- towards outstanding dues of TDS on or before 30th March, 2013 and hand over the proof of payment and certificate to the petitioner.

Learned counsel for petitioner states that respondents have not deposited the aforesaid outstanding dues of TDS which have accumulated to Rs.6,44,094/- till date.

In view of the judgment of the Apex Court in ***Kanwar Singh Saini Vs. High court of Delhi (2012) 4 SCC 307*** as well as the judgment of a Coordinate Bench of this court in ***Nizamuddin Vs. Ramzani, 2015 SCC Online Del 7541***, this Court is of the view that the petitioner has an alternative effective remedy by way of execution proceedings.

Consequently, present contempt and application are disposed of with liberty to the petitioner to file an execution proceeding.

MANMOHAN, J

APRIL 26, 2017

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