IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

COCP No.417 of 2010 (O&M)

Date of decision : 08.03.2018

Tirlochan Singh and others

.....Petitioners

Versus

Gurdip Singh and another

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present **:** Mr. Jai Vir Yadav, Advocate for the petitioners.

Mr. Akshay Bhan, Senior Advocate with
Mr. Rohit Sud, Advocate for respondent No.1.

Mr. P. S. Bajwa, Addl. A. G., Punjab.

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DAYA CHAUDHARY, J. (*Oral*)

Present contempt petition has been filed for non-compliance of order dated 13.12.2005, whereby respondents No.5 and 6 were directed to release the entire amount to the petitioners. They were also held entitled for interest @ 9% per annum because of delay. The amount was directed to be released within a period of two months from the date of receipt of certified copy of the order. The writ petition was allowed with cots of ₹10,000/-. Earlier the petitioners filed COCP No.769 of 2006, wherein following order was passed:-

> *"Since there is dispute regarding the total amount due and payable to the petitioners, it is considered appropriate to direct the Principal, SCD, Government College, Ludhiana, Drawing and Disbursing Officer of the College run by the management to*

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adjudicate upon the amount due and payable to the petitioners. Ordered accordingly. The amount so determined, shall be payable by the management in terms of the earlier undertaking.

The learned counsel for the respondents has handed over cheques of Rs.1,20,000/- quarterly, in respect of each of the petitioner, which have been accepted by learned counsel for the petitioners, subject to adjudication of their claim by the Drawing and Disbursing Officer.

In view of the above undertaking, the present contempt petition is disposed of. The respondents shall remain bound by their statement made before this Court. However, in the event of dishonour of cheque, it shall be open to the petitioners to seek the revival of the present petition. As a consequence of the disposal of the present petition all the interim orders passed in the petition shall stand vacated."

Subsequently, being not satisfied with the compliance, the petitioners filed the present contempt petition because of difference in the amount before this Court, wherein notice was issued to the respondents on 03.03.2010. As per direction, some amount has been paid to the petitioners along with interest @ 9% per annum but the cost amount has not been paid.

Learned Senior counsel for respondent No.1 is ready to release the amount of cost within a period of one week.

Today a sum of ₹11,66,475/- in total has been paid by way of three cheques. In case the petitioners are still aggrieved in any manner or according to their calculation, the amount is on lesser side, they are at liberty to move a detailed representation within a period of four weeks and in case such representation is made, the respondent-authorities are directed to take action by considering the calculation or amount mentioned in the

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representation within a period of two month thereafter.

Disposed of.

08.03.2018 **(DAYA CHAUDHARY)**
sunil yadav **JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

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