

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

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Date of decision:21.08.2018

**CM-8886-CII-2018 &
COCP-3220-2016**

**KRISHAN KUMAR
V/S**

.....PETITIONER

RAJINDER PAL SINGH SANDHU

.....RESPONDENT

**CM-8845-CII-2018 &
COCP-3221-2016**

ANGOORI DEVI & ANR

...*PETITIONERs*

V/S

RAJINDER PAL SINGH SANDHU

..*RESPONDENT*

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Surinder Garg, Advocate,
for the petitioner(s).

Mr. Sanjeev Sharma, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-8886-CII-2018 & CM-8845-CII-2018

Applications are allowed subject to just exceptions. Annexure R-2 is taken on record and filing of certified copy of the same is dispensed with.

COCP-3220 & 3221 of 2016

By this order, I propose to dispose of two contempt petitions

wherein the order dated 04.08.2016 passed in CWP No. 15575 of 2016 titled as Krishan Kumar vs. Punjab State Agricultural Marketing Board, Punjab and others and order dated 03.08.2016 passed in CWP No. 15480 of 2016 titled as Angoori Devi and another vs. Punjab State Agricultural Marketing Board, Punjab and others, are alleged to have been violated by the respondents by not granting the interest to the petitioners.

A perusal of the order dated 03.08.2016 leaves no manner of doubt that the Court had not expressed any opinion on the merits of the case and had issued directions to the respondents to take a decision on the legal notice served upon the respondents by passing a speaking order and after affording an opportunity of hearing to the petitioners. Further direction was that in case the petitioners are found entitled to the amount of interest, the same be also released to them.

In pursuance to the order passed by this Court, a speaking order has been passed by the respondents, copy whereof is dated 13/14.10.2016 (Annexure P-3) but thereafter, on receipt of the notice, a fresh order has been passed by the respondents on 27.03.2018, wherein the claim of the petitioners has been considered ordering refund of the amount by deducting 10% of the amount and they have also not been held entitled to the interest, as claimed.

Counsel for the petitioners asserts that the respondents have violated the order passed by this Court as no interest has been paid to the petitioners on refund of the principal amount deposited by them.

This contention of the counsel for the petitioners cannot be accepted as the Court had simply passed an order directing a decision on the legal notice served by the petitioners upon the respondents and had further

observed that if they are entitled to the interest, the same be also released to them, which aspect has been considered with regard to the interest but unfortunately they were not found eligible for the same.

The contempt petitions, therefore, stand dismissed.

Rule stands discharged.

August 21, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No