

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

COCP No.431 of 2016 (O&M)

Date of decision : 23.04.2018

Surinder Pal Kochar

.....Petitioner

Versus

Saravjit Singh and others

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : None for the petitioner.

None for respondents No.1 and 2.

Mr. Sanjeev Sharma, Senior Advocate with
Mr. Shekhar Verma, Advocate for respondents No.3 and 4.

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DAYA CHAUDHARY, J. (Oral)

The present petition has been filed for initiating contempt proceedings for non-compliance of order dated 28.09.2015 (Annexure P-1) passed by this Court in CWP No.11468 of 2014.

Earlier the petitioner filed CWP No.11468 of 2014 which was disposed of vide order dated 28.09.2015 with the directions to the respondents to decide the claim of the petitioner pending with them by 31.12.2015.

In response to notice of motion, reply was filed which is on record.

Learned counsel for respondents No.3 and 4 submits that

petitioner did not apply for the scheme floated by the respondents on or before 28.03.2017. Draw of lots was to be held on 30.10.2017 and the petitioner immediately before the date of draw, got the draft prepared and sent the application vide registered post to the respondents along with all requisite documents as well as the bank demand draft. Said application was returned by stating the detailed facts. It was specifically mentioned that the demand draft was received in the office on 30.10.2017 at 4.50 p.m. and the last date of submission of application was 28.03.2017 and draw of lot was conducted on 30.10.2017. Not only the application but the draft was also returned.

On perusal of direction issued in the writ petition and also by considering the reply, it is apparent that the claim of the petitioner could not be considered as the petitioner did not apply well in time before the last date of submission of the application. All documents including application and draft were sent back.

Accordingly, no case is made out to initiate the contempt proceedings and accordingly, the same is dismissed.

23.04.2018*sunil yadav***(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No