

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

COCP 866/2018

Date of decision:13.03.2018.

Gurmej Singh

.....Petitioner

v.

Navdeep Singh

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Ms.Alisha Arora,Advocate for the petitioner

Jaswant Singh,J,(Oral).

Petitioner was a defaulter of payment of installments qua a loan raised from the respondent Bank for purchase of a Mahinder MUV vehicle. The respondent Bank filed an application under Section 9 of the Arbitration Act,1996 for appointment of Receiver to re-possess the vehicle during the pendency of the arbitration proceedings to be invoked in terms of the loan agreement. Learned Additional District Judge, Ludhiana vide order dated 14.3.2016 appointed DSP(Traffic)Ludhiana as Receiver with directions indicating the manner of taking over the possession of the vehicle. Against the said order petitioner filed FAO 1925/2016 before this Court wherein while issuing notice of motion vide order dated 8.4.2016 interim directions were passed whereby subject to the petitioner depositing a sum of Rs.80,000/- within one month the operation of the impugned order dated 14.3.2016 was stayed.

By filing present contempt it is being alleged that the Bank authorities did not receive the offered amount of Rs.80,000/- in terms of the

order dated 8.4.2016 and therefore, committed contempt.

After hearing counsel for the petitioner, no ground for invoking contempt jurisdiction is made out; firstly for the reason that the amount of Rs.80,000/- in terms of the order dated 8.4.2016 was to be offered under the aegis of the Receiver and there is no material to show that the said amount was actually offered except a bald statement; and secondly the contempt, if any, had occurred much before 19.7.2016 i.e. the next date fixed in the FAO after issuing notice of motion and therefore, the present contempt filed after a delay of more than one year is barred by virtue of provisions of Section 20 of the Contempt of Courts Act.

Dismissed.

13.03.2018
joshi

(Jaswant Singh)
Judge

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