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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 252/2018**
RAKESH FILLING STATION Petitioner
Through: Mr. Sunil Chaudhary, Adv.

versus

INDRAPRASTHA GAS LIMITED & ANR Respondents
Through: Mr. K.K. Rai, Sr. Adv. with Mr. S.K.
Pandey, Mr. Anshul Rail, Mr.
Chandra Shekhar and Mr. Awanish
Kumar, Advs. for IGL

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **10.04.2018**

1. The present contempt petition has been filed by the petitioner alleging non-compliance of order dated February 07, 2018 in FAO 22/2017 wherein this Court has directed that Hydraulic Testing Certificate be issued by the IGL in favour of the IOCL. There are certain other observations of the Court in the said order with which we are not concerned in this contempt petition. Learned counsel for the petitioner would submit that the said certificate was to be forwarded by the IGL to the IOCL within two weeks. Unfortunately, the same has been delayed. According to him, the petitioner had got issued a legal notice on March 07, 2018 to which a reply dated March 14, 2018 was received on behalf of the respondents in which their

counsel has stated that the report of the cylinder test has already been forwarded to the Indian Oil Corporation for necessary action. According to the counsel, the stand taken in the reply is incorrect as no such report has been forwarded to Indian Oil Corporation. He states that this is nothing but a wilful violation of order of this Court dated February 07, 2018 inasmuch as despite expiry of four weeks no such report has been forwarded.

2. Mr. K.K. Rai, learned Senior Counsel appearing for the respondents by conceding the fact that the report was forwarded only on April 04, 2018, would submit that the stand in reply dated March 14, 2018 was because of a communication gap between the concerned department and the counsel. He also concedes that the delay has occurred in forwarding the certificate to the IOCL.

3. Having heard learned counsel for the parties, the only issue in the contempt petition is with regard to compliance of direction of this Court whereby IGL had to forward the Hydraulic Testing Certificate to IOCL within two weeks. The same was sent only April 04, 2018, which clearly reveals that the period of two weeks was not adhered to. The same having been sent to the IOCL on April 09, 2018, it is not a case of wilful disobedience of the order of this Court dated February 07, 2018. The

contempt petition is closed as the order has been complied with.

V. KAMESWAR RAO, J

APRIL 10, 2018/aky