

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

COCP No.2713 of 2016 (O&M)

Date of Decision: 01.10.2019

Yash Pal Sharma (deceased) through LRs

.....Petitioners

Versus

Sh. Devi Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Vijay Kumar Chaudhary, Advocate
for the applicants-petitioners.

Mr. Sumit Narang, Advocate
for the non-applicant-respondent.

AVNEESH JHINGAN, J.(oral)

C.M. No. 17456-CII of 2019.

Notice of the application to non-applicant.

Mr. Sumit Narang, Advocate, who is present on Court accepts
notice.

After hearing learned counsel for the parties and for the reasons
stated in the application which is duly supported by an affidavit, the
application is allowed, subject to all just exceptions and legal heirs of
petitioner as mentioned in Para-2 of the application are impleaded as party.

Amended memo of parties is taken on record.

Application stands disposed of.

COCP No. 2713 of 2016

The writ petition filed by the legal heirs of Des Raj challenging
the recovery made from the deceased was allowed and the respondents were
directed to refund the amount recovered.

The present contempt petition has been filed stating that only an amount of ₹1,49,069/- has been refunded whereas recovery made was of ₹2,11,644/-.

Pursuant to notice of motion, reply was filed. In reply the details of recovery have been annexed. Still there exists a dispute with regard to amount recovered.

Without adverting to the merits of dispute, the contempt petition is disposed of with direction to respondent to provide details of recovery made. The petitioners thereafter may file a representation within two weeks from today accompanied by the details of recovery made according to them. In case such a representation is made, the respondent shall decide the same in accordance with law after providing an opportunity of hearing to the petitioners. The needful shall be done within eight weeks from filing the representation.

01.10.2019

reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No