

101

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-12249-CII-2019 in/and
COCP-2829-2018
Date of Decision: May 30, 2019

Raj Devi

.....Petitioner

Versus

Sukhdev Singh

.....Respondent

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Manu Loona, Advocate
for the petitioner.

Mr.SPS Tinna, Advocate
for the respondent.

.....

NIRMALJIT KAUR, J. (ORAL)

CM-12249-CII-2019

Application is allowed. Reply taken on record.

COCP-2829-2018

The contempt is filed for non-compliance of the order dated 10.12.2015 vide which the only direction issued was to decide the legal notice dated 01.09.2015.

Reply was filed. As per the said reply, the order had been complied with way back on 04.05.2016, on which date the speaking order has been passed. The said speaking order has also been placed on record as Annexure R-1. It is further stated in the reply that the amount due to the petitioner has already been paid and therefore, no contempt is made out.

In view of the above, the contempt petition is dismissed.

Rule issued against the respondent stands discharged.

In case the petitioner is still aggrieved, in any manner, from passing of the said speaking order and if it is not upto his satisfaction, she is at liberty to challenge the same in accordance with law.

At this stage, learned counsel for the petitioner states that he had already filed CWP No.27691 of 2017, but withdrawn the same to initiate contempt proceedings and therefore, he cannot file writ petition. This argument cannot be sustained as CWP No.27691 of 2017 was filed without challenging the speaking order which already stood passed.

Taking into account that the speaking order had already been passed, the order directing the respondents to deposit costs of ₹5,000/- is recalled.

May 30, 2019
meenuss

**(NIRMALJIT KAUR)
JUDGE**

- | | |
|---------------------------------------|---------------|
| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |