

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 2956 of 2018

Date of Decision: 14.08.2019

The Malout National Co-op L&C Society Ltd.

.....Petitioner

Versus

Anirudh Tiwari and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: None for the petitioner.

Mr. Harpreet Singh, Sub Divisional Engineer, in person.

AVNEESH JHINGAN, J.(oral)

This contempt petition has been filed pleading wilful disobedience of order dated 23.4.2018 passed in bunch matter. The lead case being CWP No. 1900 of 2018. The petitioner was party in CWP No. 5075 of 2018. The relevant portion is reproduced below:

"Since, the petitioner(s) have prayed for a writ in the nature of mandamus which can be issued by this Court only if there is a right vested with the petitioner(s) and there is a corresponding duty on the part of the respondent-Corporation. In the present case, neither the rights of the petitioner have been denied nor the respondent-Corporation has denied its liability, therefore, keeping in view the aforesaid facts and circumstances, present bunch of writ petitions are hereby disposed with a direction to the respondent-Corporation to release the payment to the petitioners, in which there is no dispute, within four months from the date of receipt of certified copy of this order. In case, where there is

some dispute raised by them then the respondent-Corporation would associate the petitioner(s) for the purpose of sorting out the said dispute and shall make the payment accordingly."

There is no representation on behalf of the petitioner. Even on the last date, none was present. Vide order dated 25.2.2019, a direction was issued to respondents to release the balance amount for which there is not dispute.

Mr. Harpreet Singh, Sub Divisional Engineer, present in Court, has produced a receipt given by petitioner-Gurmeet Singh Contractor, stating that he has received full payment which is subject matter of present contempt petition.

In view of the receipt produced, no cause of action survives in pursuing the contempt petition.

Rule issued against respondents is discharged.

However, in case there is any discrepancy in the statement made today in Court, the petitioner would be at liberty to revive the contempt petition.

14.08.2019
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No