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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-3334-2017
DATE OF DECISION: 09.09.2019

M/S DAIMLER FINANCIAL SERVICES INDIA PVT LTD

.. PETITIONER

VERSUS

LALIT KUMAR

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vipul Dharmani, Advocate
for the petitioner.

Mr. Ashwani Talwar, Advocate
for the respondent.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the undertaking given by the respondent before Additional District Judge, Panipat on 07.02.2017 in proceedings under Section 9 of The Arbitration and Conciliation Act, 1996.

During pendency of the contempt proceedings, an affidavit dated 14.07.2018 was filed, undertaking was given to pay the amount of two installments i.e. Rs. 1,76,600/- by 25th of every month for the next 7 months.

Today demand draft No. 369652 amounting to Rs. 1,76,600/- drawn by IndusInd Bank Limited has been handed over to the learned counsel for the petitioner. A copy of the same is taken on record.

Learned counsel for the parties are, *ad idem*, that by paying the said amount today the undertaking given vide affidavit dated 14.07.2018 has been complied with.

Learned counsel for the petitioner submits that arbitration proceedings have also concluded and there is award in favour of the Bank. He seeks liberty to proceed in accordance with law as per the award.

In view of the above, no cause of action survives for pursuing the contempt proceedings. The contempt petition is disposed of with liberty as prayed for.

Rule issued against the respondent is discharged.

9th September, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*