

COCN No.3610 of 2018  
Date of Decision: 25.03.2019

Vijay Kumar

.....Petitioner

Versus

Varinder Sharma

.....Respondent

**CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR**Present: Mr. Subhash Kumar, Advocate  
for the petitioner.

Mr. P.S. Bajwa, Addl. Advocate General, Punjab

**NIRMALJIT KAUR, J. (ORAL)**

The present contempt petition is filed for non-compliance of order dated 03.07.2018, vide which, direction was issued to the respondent to decide the representation of the petitioner and with a specific direction that the representation should be filed for calculating the simple interest on the amount, which is allegedly due.

Reply on behalf of the respondent is already on record. As per the said reply, the order has been complied with. A speaking order dated 03.12.2018 was passed and the petitioner was found entitled to simple interest @ 3.5%. The amount due to the petitioner has also been paid.

At this stage, learned counsel for the petitioner states that the simple interest was 6.5% and not 3.5%, whereas, the respondent has placed on record the communication of the SBI dated 24.08.2018 (Annexure R-1) stating that the simple interest in the saving account was 3.5% in case the balance was less than ₹1 Crore and 4% in case the balance was more than ₹1 Crore. Moreover, the representation too does not show that the petitioner filed the said representation alongwith the calculation and nor any rate of interest was mentioned in the said representation.

In view of the same, there cannot be said any disobedience of the order. Accordingly, the present contempt petition is dismissed.

Rule issued against the respondent stands discharged.

However, in case the petitioner is still aggrieved with the passing of the said speaking order dated 03.12.2018 and rate of interest as calculated by the respondent, he is at liberty to avail remedy as available to him, in accordance with law.

**(NIRMALJIT KAUR)**  
**JUDGE**

**25.03.2019**

*sandeep*

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No