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

**COCP No.3633 of 2018
Date of Decision: 09.09.2019**

M/s Sharma Construction Company

Petitioner

Versus

Arun Kumar, Chief Engineer (South), Public Work Development
B&R, Patiala

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The present contempt petition is filed pleading wilful disobedience of order dated 06.09.2018 passed by this Court in CWP No.29424 of 2017.

The relevant portion of the order is reproduced below:-

“Considering the fact that the work allotted to the petitioner by respondent No.3 stands executed to its satisfaction, it is ordered that respondent No.3 shall release the payment against the admitted bills within a period of six weeks from the date of receipt of a certified copy of this judgment. If the payment is not made within the stipulated period, the same shall carry interest at the rate of 6% per annum from the date of execution of work.

Meanwhile, respondent No.3 is free to settle the issue with respondent No.2.”

Learned counsel for the parties are *ad idem* that amount has been paid. The only dispute is, amount has been paid within six months or not.

It was directed in the writ petition that if the payment is not made within six weeks, the same shall carry interest @ 6% per annum from the date of execution of work.

The stand of respondent is that payment was made within six weeks from receipt of certified copy of order.

Learned counsel for the petitioner took time to verify the said fact, after almost four months, nothing has been produced on record to support his claim.

The contempt petition is disposed of as infructuous. However, petitioner would be at liberty to avail remedies in accordance with law, if his claim for interest so arises.

The rule issued against the respondent stands discharged.

**[AVNEESH JHINGAN]
JUDGE**

September 09, 2019

pankaj baweja

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No