

COCP No. 3761 of 2018

DECIDED ON: SEPTEMBER 05, 2019

M/S KRISHNA ARJUN BUILDTECH PVT.LTD

.....PETITIONER

VERSUS

KHETMAILS MAKRAND PANDURANG

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Amrita Nagpal, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed pleading wilful disobedience of the order dated 24.07.2017 passed in CWP No. 14900 of 2017.

The operational part of the order is quoted below:-

“ The writ petition is disposed of by directing the respondents to complete the computation of the amounts due and if any amounts are found to be due, the respondents shall refund the same to the petitioner by 30.09.2017 failing which the respondents shall pay interest at the rate to be fixed by this court on an application by the petitioner.

The petitioner is at liberty to accept the amount offered by the respondents and to appropriate the same without prejudice to their rights, if according to it further amounts are also due. This shall also include the petitioner's claim for interest even on the amounts refunded/liable to be refunded.”

Pursuant to the notice of motion, reply was filed.

Learned State counsel submits that the licence fee has been refunded on 27.10.2017. .

Learned counsel for the petitioner submits that though the licence fee has been refunded but no interest has been granted on the said amount, as per the directions of this Court.

Learned State counsel submits that the needful would be done within six weeks by passing a speaking order and if any amount is found due, respondent shall pay the same to the petitioner within four weeks thereafter.

From the perusal of order of this court, it is evident that in case the respondent failed to make the payment till 13.09.2017 they were liable to pay interest. It is an admitted position that the payment was made on 27.10.2017. The respondent are liable to pay interest for the period from 13.09.2017 to 26.10.2017.

In view of above, no cause of action survives for pursuing the present contempt petition.

Disposed of as infructuous.

However, respondent is directed to do the needful as per the time period mentioned above.

Rule issued against the respondent stands discharged.

SEPTEMBER 05, 2019
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned ***Yes/No***
Whether reportable ***Yes/No***