

COCP No. 1143 of 2019
DECIDED ON: JULY 19, 2019

JOYTI KUMARI

.....PETITIONER

VERSUS

INDRESH SHARMA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vikas Garg, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

Mr. Sumeet Puri, Advocate
for the respondent No.3.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed alleging wilful disobedience of the order dated 05.02.2018 passed by this Court in CWP No. 2516 of 2018 and order dated 20.12.2018 passed by this Court in COCP No. 9894 of 2018.

The operational part of the order dated 05.02.2018, is reproduced below:-

3. *In view of afore-said facts and circumstances, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice (P-1) and to decide the same in accordance with law, rules and regulations after verifying the legal heirship of the deceased within a period of three months from the date of receipt of certified copy of this order. In case the authority comes to the conclusion that*

petitioner is entitled to the relief so claimed through the legal notice and there is no legal impediment, to release the same within next 45 days.

4. *The claim with regard to interest on delayed payment(s) shall also be considered in view of the observations made by Full Bench of this Court in case captioned as “A.S. Randhawa v. State of Punjab”, 1997 (3) RSJ 318 as well as by this Court in CWP No. 14726 of 2016, titled as Megh Singh vs. Registrar Cooperative Societies, Punjab, Chandigarh and others, decided on February 01, 2018.*

5. *However, if the petitioner still feels aggrieved against the order passed by the concerned authority, she shall be at liberty to approach this Court.*

Learned counsel for respondent No.3 has handed over calculations along-with a cheque bearing No. 064551, dated 18.07.2019 amounting to ₹1,67,089/- drawn on Axis Bank Ltd., Kotkapura, to learned counsel for the petitioner. It is stated that the said amount was due as per respondents. Copy thereof, is taken on record.

In view of above, learned counsel for the petitioner submits that no cause of action survives in the present contempt petition, however, he seeks liberty to avail remedies in accordance with law in case being aggrieved of the calculation or amount quantified by respondent No.3.

Disposed of as infructuous, with afore-said liberty.

The Rule issued against the respondents stands discharged.

JULY 19, 2019
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(AVNEESH JHINGAN)
JUDGE

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