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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-1621-2019

Date of decision: 26.08.2019

Atul Marwaha

.. Petitioner

Versus

Dharam Pal Gupta and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ferry Sofat, Advocate
for the petitioner.

Mr. Sarvesh Malik, Advocate
for the respondents.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading wilful disobedience of the order dated 04.02.2019 passed by this Court in CWP No. 2936 of 2019. The operational part of the order is quoted below:

“Learned counsel for the petitioner contends that he had surrendered the plot and had prayed for refund of the amount which he requires for treatment of his family member. The respondents are sitting over the matter without taking a decision thereon.

Looking at the nature of the prayer made by the petitioner, we are of the opinion that this petition can be disposed of at this stage with a direction to respondent No.3 to consider and decide the claim of the petitioner as expeditiously as possible, preferably within a period of two weeks from the date of receipt of certified copy of the order. Ordered accordingly.”

Pursuant to notice of motion, affidavit on behalf of respondents

Along with reply, order dated 20.07.2019 and copy of covering letter with photocopy of the cheque amounting to Rs. 1,50,343/- have been annexed. A copy of the same is handed over to learned counsel for the petitioner.

Learned counsel for the petitioner submits that the respondents have partially accepted the claim of the petitioner. He further states that the issue with regard to the interest has not been decided.

The said contention raised by the learned counsel for the petitioner cannot be gone in to the present contempt proceedings as the direction of this Court was only to decide the claim expeditiously. .

In view of the reply filed, the contempt petition is disposed of. However, the petitioner would be at liberty to avail remedies in accordance with law against the order passed and awarding of interest.

Disposed of as infructuous with liberty as prayed for.

Rule issued against the respondent is discharged.

26th August, 2019

shabha

(AVNEESH JHINGAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No