

COCN No. 1654 of 2019 (O&M)
DECIDED ON: AUGUST 30, 2019

M/S R.K. MAHAJAN

.....PETITIONER

VERSUS

RAHUL TIWARI, IAS AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. R.S. Manhas, Advocate
for the petitioner.Mr. S.C. Pathela, Advocate
for respondents No.2 to 4.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed pleading wilful disobedience of the order dated 04.12.2018 passed in CWP No. 28106 of 2018.

The operational part of the order is quoted below:-

“ Petition is hereby disposed of with the direction that in case petitioner sends a fresh copy of the legal notice/representation to the concerned authority alongwith a copy of this order by registered/speed post, the authority shall pass a speaking order at the earliest, in any case not later than six weeks of receipt thereof. If any amount is found due to the petitioner, payment of same be released after sanction from the Finance Department, if required.”

Learned counsel for respondents No.2 to 4 has placed on record an order dated 28.08.2019. Copy handed over to the counsel for the petitioner.

Along-with the order, a draft bearing No. 982191, dated 28.08.2019 amounting

to ₹5,00,000/- drawn by Bank of Maharashtra in favour of the petitioner has also been handed over to counsel for the petitioner, copy thereof, is taken on record.

Learned counsel for respondents No.2 to 4 submits that out of the total amount of ₹75,11,254/-, an amount of ₹38,69,536/- has been paid to the petitioner and the balance amount of ₹36,41,718/- shall be paid to the petitioner within four months.

In view of above, learned counsel for the petitioner submits that no cause of action survives for pursuing the present contempt petition.

Disposed of as infructuous.

Rule issued against the respondents stand discharged.

However, it is made clear that in case the afore-said statement is not adhered to, petitioner would be at liberty to revive the present petition, in case he is forced to do so, an exemplary costs may be imposed which shall be recovered from the defaulting official.

AUGUST 30, 2019
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>