

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

(201-A)

COCP-2155-2019

Date of Decision: September 04, 2019

Om Parkash

.. Petitioner

Versus

Vikas Yadav

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Jaspreet Kaur, Advocate, for
Mr. Ravinder Singh Dhull, Advocate, for the petitioner.

Mr. Deepak Manchanda, Advocate, for the respondent.

HARSIMRAN SINGH SETHI, J.(ORAL)

This contempt petition has been filed alleging the violation of the order dated 16.11.2018 passed by this Court in CWP No.29047 of 2018 by which, recovery of the excess amount was stayed.

Learned counsel for the respondent states that the recovery was done inadvertently and amount which was recovered, has been refunded to the petitioner. Relevant paragraph 4 of the reply is as under:-

“4. That it is again humbly submitted that this fact was not in the knowledge of the answering-deponent and was brought into the notice only after receiving the notice dated 30.05.2019 issued by this Hon'ble High Court in COCP No.2155 of 2019 which was duly received in the office of answering-deponent on 15.07.2019. After coming to know about the issuance of notice dated 30.05.2019, the answering-deponent re-examined the entire issue and realized that inadvertently the recovery had been made by the department of answering-deponent inspite of the order dated 16.11.2018 passed in CWP No.29047 of 2018 and immediately ordered for return of the recovered amount of Rs.98,894/- vide office order dated 18.07.2019. Accordingly, in compliance of the office

order dated 18.07.2019, the said amount has already been re-deposited in the salaried bank account no. 309302010098182 of UBI Bank vide cheque no.254520 dated 26.07.2019 pertaining to the petitioner and same has also been encashed. The copies of the order dated 18.07.2019, letter dated 26.07.2019 addressed to the petitioner and bank entry in the statement of account showing the debit of amount are annexed herewith as Annexures R-3 to R-5.”

Learned counsel for the petitioner does not dispute that the amount recovered has already been refunded to the petitioner.

Keeping in view the above, no further proceedings are required to be undertaken in the present contempt petition and the same is disposed of as such.

(HARSIMRAN SINGH SETHI)
JUDGE

September 04, 2019
harsha

Whether speaking/reasoned: Yes
Whether reportable: No