

COCN No. 4013 of 2018

DECIDED ON: OCTOBER 23, 2019

M/S SAMRAJ ENTERPRISES

.....PETITIONER

VERSUS

SIBIN C

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Sahil Soi, Advocate,
for the petitioner.

Mr. Anupam Singla, Advocate,
for the respondent.

AVNEESH JHINGAN, J (ORAL)

Petitioner filed a CWP No. 3686 of 2014 for the release of payment of work orders carried out by it. In the writ petition, it was submitted that an amount of ₹3,00,000/- has already been released to the petitioner. The petition was disposed of on statement made by learned State counsel submitted that the matter would be looked into and necessary steps shall be taken for the release of balance payment.

Today, learned counsel for the respondent submits that the balance payment was released to the petitioner and his claim with regard to grant of interest was rejected vide order dated 29.12.2017. He further submits that, petitioner filed CWP No. 9736 of 2018 challenging order dated 29.12.2017. The said writ petition was dismissed as withdrawn on 22.05.2018 with liberty to file contempt petition, if so advise.

The present contempt petition has been filed raising grievance that the interest has not been awarded on the delayed payment. The said issue cannot be gone into in the present petition. The prayer clause of the writ petition is reproduced below:-

“Civil Writ Petition under Articles 226/227 of the Constitution of India for the issuance of an appropriate writ, direction or order in the nature of mandamus directing the respondent No.1 to release funds for making payments of work orders issued by Council for Citrus and Agri Juicing in Punjab, SCO-358-359, Sector-34-A, Chandigarh for supply, erection/installation and commission of drip irrigation system which was executed by the petitioner and bill for the same was also submitted on 11.12.2018 vide Bill No. 249, dated 23.08.2008 and for issuance of any other writ, direction or order as this Hon'ble Court may deem fit in the facts and circumstances of the case.”

There was no prayer before the writ Court for claiming interest on the delayed payment.

The order of this court dated 22.05.2018 is complied with, even the payment has been made.

No case is made out for contempt.

Dismissed.

Rule issued against the respondent stands discharged.

OCTOBER 23, 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>