

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

**Contempt of Court Petition No.601 of 2020 (O&M)
Date of Decision: February 12, 2020**

Overseas Warehousing Private Limited

.....PETITIONER(s).

VERSUS

Arvinder Singh Ranga

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sudhir Malhotra, Advocate with
Ms. Kanika Malhotra, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Heard.

CWP-282-2020 was disposed of vide order dated 10.01.2020,
with observations as follows:-

“In the circumstances, it is directed that the petitioner would put an amount of ₹25,00,000/- in an escrow account and on its part, the competent authority would determine the question of admissibility of interest and its rate, if any, after adjudicating the dispute with regard to recovery of duty from the petitioner after giving opportunity of hearing to the petitioner. A final reasoned order be passed in this regard in accordance with law. Once the escrow account is created, the bank account of the petitioner would be de-freezed.”

The competent authority has passed the reasoned order on

Learned counsel for the petitioner submits that an amount of ₹25,00,000/- was put in escrow account and thereafter, the competent authority was directed to determine the question of admissibility of interest and its rate, if any, after adjudicating the dispute with regard to recovery of duty from the petitioner. The competent authority while passing the order dated 05.02.2020, has not adjudicated upon the dispute with regard to recovery of duty from the petitioner and the amount of ₹25,00,000/- has been ordered to be adjusted towards the sale proceed of ₹60,00,000/-, which was ordered to be recovered from the OWPL i.e. the petitioner.

The respondent has passed a reasoned order and the amount of ₹25,00,000/- deposited in escrow account, has been ordered to be adjusted in the amount found recoverable from the petitioner. The petitioner, if not satisfied with the order passed by the competent authority, has a separate remedy to challenge the same. No reason for initiation of contempt proceedings against the respondent is made out.

This petition has no merits. Dismissed.

February 12, 2020

Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No