

COCN-1557-2020 (O&M)

Date of Decision: 18.11.2020

Surjit Singh

...Petitioner

vs.

Gurpinder Singh and another

...Respondents

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Ms. Sushma Chopra, Advocate for the petitioner.

Mr. Onkar Rai, Advocate for

Mr. Ashok Paul Batra, Advocate for respondent No.1.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.
2. Learned counsel for the petitioner states that cheque No.008286 dated 21.09.2020, handed over to the petitioner, could not be encashed on account of there being variation in the amount recorded in figures and in words, besides, no interest has been paid in terms of order of this Court dated 25.02.2020.
3. Learned counsel appearing on behalf of respondent No.1 states that in case the petitioner contacts respondent No.1 not only fresh cheque would be issued to the petitioner for a sum of Rs.1,86,543/- in lieu of cheque No.008286 but the petitioner would also be made payment on account of interest in terms of order passed by the Tribunal as well as this Court dated 25.02.2020, within four week from the date the petitioner approaches respondent No.1.
4. The same satisfies learned counsel for the petitioner, who states that in the circumstances, she does not press the Contempt Petition at this stage

and the same may be disposed of as such while granting liberty to the petitioner to move an application for revival of the contempt petition, if the circumstances of the case, so warrant.

5. Accordingly, in the light of statement of learned counsel for the parties, the Contempt Petition is disposed of at this stage by directing respondent No.1 to issue fresh cheque to the petitioner for a sum of Rs.1,86,543/- in lieu of cheque No.008286 dated 21.09.2020 and also to make payment on account of interest in terms of order passed by the Tribunal as well as this Court dated 25.02.2020, within four week from the date of submission of cheque No. 008286 dated 21.09.2020 for issuance of fresh cheque. However, it is made clear that in case of non-compliance with the orders of this Court within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the contempt petition.

(B.S. Walia)
Judge

18.11.2020

'Rajesh-PS'

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No