

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-2042-2020

Date of Decision: 07.10.2020

M/s Grover Enterprises

...Petitioner

vs.

Satish Chandra and others

...Respondents

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

Present: Mr. R.K. Girdhar, Advocate for the petitioner.

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. Prayer in the Contempt Petition under Section 10 and 12 of the Contempt of Courts Act, 1971 is for punishing the respondents for willful disobedience of the order of this Court dated 07.02.2019, in CWP No.3476 of 2019.

3. Learned counsel contends that vide order dated 07.02.2019, the Executive Engineer, Municipal Council, Khanna, District Ludhiana, was directed to examine the claim of the petitioner against the backdrop of legal notice Annexure P/2 dated 12.01.2019 and take a final decision thereupon within a period of eight weeks from the date of receipt of certified copy of the order and that in case, any, payment was found due to the petitioner, the same be released to him without any further delay but that no action has been taken in respect thereto till date.

4. Notice to respondent No.3 only to show cause as to why proceedings under the Contempt of Court Act, 1971 be not initiated against him for non-compliance with the orders of this Court dated 07.02.2019.

5. Mr. M.S. Batth, Advocate, accepts notice on behalf of respondent No.3 and on instructions from respondent No.3, states that the claim of the petitioner has been decided and that cheque for the amount as per entitlement was issued on 20.05.2020 but the same has lapsed and now payment of Rs.2,17,500/- i.e. Rs.1,42,500/- on account of earnest money (CD) and Rs.75,249/- on account of security refund, would be transmitted to the petitioner by demand draft by registered post.

6. The same satisfies learned counsel for the petitioner.

7. Accordingly, in the light of the position as noted above, the Contempt Petition is disposed of as not calling for any orders, except directing respondent No.3 to adhere to the undertaking to transmit the demand draft for a sum of Rs.2,17,500/- to the petitioner by registered post within a period of three days from today. Needless to mention, in case the payment as per undertaking of respondent No.3 as made through learned counsel for respondent No.3, is not made to the petitioner, the petitioner would be at liberty to move an application for revival of the Contempt Petition.

(B.S. Walia)
Judge

07.10.2020

'Amit-Rajesh'

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