

COCP No.2101 of 2020

Date of Decision : 03.12.2020

Roshan and Rajdeep Infrastructure Pvt. Ltd.

...Petitioner

Versus

Komal Mittal

....Respondent

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

Present : Mr. Parveen Moudgil, Advocate for the petitioner.

Mr. Sanjeev Soni, Advocate for the respondent.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the petition under Section 10 read with Section 12 of the Contempt of Courts Act, 1971, is for initiating action against the respondent for intentional and willful disobedience of order dated 06.03.2017 in CWP No.20983 of 2011.

3. Learned counsel for the petitioner contends that vide order dated 06.03.2017, CWP No.20983 of 2011 was allowed and the Municipal Corporation, Amritsar, was directed to refund the house tax paid by the petitioner along with interest @ 10% and the petitioner, as and when demand was raised by shopkeepers, was required to refund the same along with interest @ 10% but despite lapse of sufficient period of time, refund was not made, therefore, the instant contempt petition was filed but now a sum of Rs.1,25,00,000/- has been credited by the respondent in the account

of the petitioner with the assurance that balance amount of Rs.1,22,00,000/- would be deposited in the account of the petitioner by 07.01.2021, therefore in the aforementioned circumstances, he does not press the contempt petition and the same may be disposed of, as such, at this stage, with liberty to the petitioner to move an application for revival of the contempt petition, if the circumstances of the case, so warrant.

4. The same is not opposed by learned counsel for the respondent.

5. Accordingly, in the light of statement of learned counsel for the parties, the Contempt Petition is ***disposed of*** as not pressed, at this stage, while directing the respondent to pay balance amount of Rs.1,22,00,000/- to the petitioner by 07.01.2021, as per the assurance held out by the respondent through learned counsel.

6. Needless to mention, in case, the needful is not done 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

December 03, 2020

'Rajneesh-Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>