

COCp-187-2021 (O&M)

Date of Decision: 26.02.2021

Mahesh Batra and others

...Petitioners

vs.

Naresh Batra and others

...Respondents

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

Present: Mr. Sangram Singh Saron, Advocate for the petitioner.

Ms. Deepali Puri, Addl. AG, Punjab.

Dr. Anmol Rattan Sidhu, Sr. Advocate with

Ms. Mandeep Kaur, Advocate for respondent Nos.6, 10 and 11.

B.S. Walia, J. (VC)

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

2. Learned Addl. AG, Punjab, has filed affidavit of Mr. Rajat Aggarwal, Excise Commissioner, Punjab, stating that order dated 12.06.2020, granting approval to the creation of 3rd party rights, has been cancelled. The same is taken on record. Copy thereof supplied to learned counsel for the petitioners, who on perusal thereof, states that in the circumstances he does not press the Contempt Petition and the same may be disposed of as such.

3. In view of the position as noted above as well as statement of learned counsel for the petitioners, the Contempt Petition is disposed of as not pressed.

4. At this stage, learned counsel for the petitioners states that the respondent department has entertained the application of the non-official/ respondents for grant of approval for creation of 3rd party rights for the year

2021-2022, though no decision has been taken in respect thereto and that liberty may be granted to the petitioner to take out proceedings in respect thereto if approval for creation of 3rd party right is granted for the year 2021-22. Needless to mention, in the eventuality of a decision being taken by the department in violation of orders of the Court, it will be open to the petitioners to take out appropriate proceedings, in accordance with law in respect thereto. Since main case stands disposed of, all pending application(s), if any, are also disposed of accordingly.

(B.S. Walia)
Judge

26.02.2021.

'Rajesh'

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