

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

COCP-3075-2018(O&M)

Date of decision: 15.11.2022

Faridabad Industries Association

....Petitioner

Versus

Dharmender Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Aashish Chopra, Sr. Advocate with
Mr. Gagandeep Singh, Advocate for the petitioner

Mr. Deepak Baliyan, Advocate for respondents

ANIL KSHETARPAL, J (Oral)

Complaining willful violation of the order dated 03.07.2018 passed in CWP-14836-2018, the petitioner has filed the present contempt petition under Section 10 & 12 of the Contempt of Courts Act, 1973. The operative part of the order dated 03.07.2018, reads as under:-

“In the light of the above discussion and without expressing any views on merits, the writ petition is disposed of with a direction to respondent No.2 & 3 to ascertain the correct facts as averred by the petitioner-Association and decide their objection-cum-representation by way of reasoned order, preferably after giving opportunity of hearing to the representative of the petitioner-Association, within a period of two months from the date of receiving a certified copy of this order.

Meanwhile, members of the petitioner-Association may deposit the additional price, as per the latest Scheme notified by the State Government, without prejudice to their legal rights.”

Pursuant to the directions of the Court, an interim reply was filed by the respondent. Subsequently, another interim reply was filed by Ms. Sonal Goel, IAS, Administrator, Haryana Shehri Vikas

Pradhikaran, Faridabad. Para 5 of the subsequent interim reply reads as under:-

“5. That the matter was under active consideration with the committee meanwhile as per report of the committee of Hon’ble High Court Judges (Retd.) constituted vide notification no.197601 dated 01.10.2018 regarding loading of enhancement of common areas has been received and another policy dated 22.08.2019 has been issued by the Head Office, Panchkula. That as per latest policy dated 22.08.2019, the matter is to be reconsidered as many sectors of HSVP, Faridabad and other districts of Haryana are involved, therefore, it is requested that some more time is required for calculation as per the new policy issued on the basis of committee of Hon’ble High Court Judges (Retd.). Copy of the policy dated 22.08.2019 is enclosed as Annexure R-2.”

Keeping in view the aforesaid facts, the contempt petition is disposed of by requesting the members of the Committee to take a final decision on the objection/representation submitted by the petitioner, within a period of next two weeks, from today, positively.

Needless to observe that a copy of the decision shall be communicated to the petitioner by a registered post.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

15.11.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE