

COCp-3288-2014(O&M)

Date of Decision : 16.05.2022

Fortune Metaliks Limited

...Petitioner

Versus

JankiprasadMuneshwar Shah and others

....Respondents

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

Present : Mr. Nandan Jindal, Advocate for the petitioner.

Mr. Bhupinder Gupta, Advocate for Mr. G.S. Madaan,
Advocate for the respondents.

B.S. Walia, J. (Oral)

1. Prayer in the instant petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/1 dated 20.09.2013, passed by the Judicial Magistrate First Class, Ludhiana as well as order Annexure P/2-A dated 25.10.2013, passed by this Court in CRM-M-16744-2013.

2. A perusal of order Annexure P/1, reveals that the respondents were held bound by the terms and conditions of the compromise Ex.CA executed between the parties and the matter was adjourned to 25.10.2013, for payment as per compromise while as per order Annexure P/2-A, it was recorded that the Maharashtra Power Transmission Structure Pvt. Ltd. and others had sent an email to the petitioner herein agreeing to pay amount of Rs.1,45,00,000/-, whereupon the matter was adjourned to 17.12.2013, to enable counsel for the petitioners in CRM-M-16744-2013, to seek instructions. Subsequently in order Annexure P/3, it was recorded that there was no likelihood of

compromise between the parties as the petitioners in CRM-M-16744-2013, were not agreeing to honour the compromise.

3. Learned counsel for the petitioner states that respondent No. 1 i.e. Mr. Jankiparshad Muneshwar Shah, Managing Director of Maharashtra Power Transmission Structure Pvt. Ltd. has since expired and that he has received telephonic instructions today that on account of settlement having been arrived at between the petitioner herein and respondent No.2, the petitioner is not interested in pursuing the instant petition and may be permitted to withdraw the same.

4. In view of the position noted above, as well as statement of learned counsel for the petitioner, the instant petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971.

5. Rule discharged.

(B.S. Walia)
Judge

16.05.2022

ps

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