

COCP-176-2020

Date of Decision :26.08.2022

The Ambika Cooperative Labour and Construction Society Limited

...Petitioner

versus

Dinesh Bassi Chairman Improvement Trust Amritsar and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Dheeraj Mahajan, Advocate for the petitioner.
Mr. Chetan Majithia, Advocate for the respondents.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P-1, dated 15.12.2018, in CWP-19559-2018.

2. A perusal of order Annexure P-1, reveals that CWP-19559-2018, was disposed of by granting liberty to the petitioner to serve a fresh copy of the legal notice to the concerned authorities along with copy of the order by registered/speed post and the concerned authorities were directed to pass a speaking order in respect thereto at the earliest, in any case not later than six weeks from the date of receipt of copy of order and if any amount was found due to the petitioner, payment of the same was ordered to be released after sanction from the Finance Department, if required.

3. Mr. Chetan Majithia, Advocate has put in appearance on behalf of the respondents and states that claim as contained in representation dated 26.12.2018, has been considered and payment as per

entitlement made to the petitioner.

4. Learned counsel for the petitioner states that although payment has been made pursuant to representation dated 26.12.2018, yet full payment has not been made, and the petitioner has already invoked arbitration proceedings regarding outstanding payment in terms of the claim made in representation dated 26.12.2018, therefore, in the circumstances, the petitioner may be permitted to withdraw the instant petition with liberty to pursue the arbitration proceedings, in accordance with law.

5. 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, while granting liberty to the petitioner to pursue the arbitration proceedings in accordance with law.

6. Rule discharged.

(B.S. Walia)
Judge

26.08.2022
rajesh

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