

[107] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.226 of 2020
Date of Decision : 21.03.2022

Manvinder Pal Singh Bhatia ...Petitioner

versus

Jai Inder Singh, Sub Divisional Magistrate-
cum-Land Acquisition Collector, Jalandhar City.Respondent

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

Present : Mr. Tushar Sharma, Advocate for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India is for initiating action against the respondent for intentional and willful defiance of order (Annexure P-1) dated 26.03.2019 in CWP No.20410 of 2017 in case titled as 'Dr. Manvinder Pal Singh Bhatia versus State of Punjab and another.'

[2] A perusal of order (Annexure P-1) reveals that CWP No.20410 of 2017 contained a challenge to order dated 22.05.2017 whereby interest on the delayed payment of compensation had been denied. Prayer was for the issuance of a writ of mandamus directing the respondents to pay interest @ 18% per annum on the amount of compensation for the delayed period from 06.07.2011 to 30.10.2015.

[3] The aforementioned writ petition was allowed and the respondents were held liable to pay statutory interest @ 9% for the delay

for first year and 15% for the subsequent period from 06.07.2011 to 30.10.2015, with needful to be done within 03 months from the date of receipt of certified copy of the order, and in case the needful was not done, interest amount would further carry interest @ 9% to be paid to the landowners on account of default.

[4] Learned Counsel contends that the instant petition was filed on account of failure of the respondent to do the needful but during the pendency of the petition, the petitioner has been released payment as per his entitlement in terms of order dated 26.03.2019 in CWP No.20410 of 2017 and that in the circumstances, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such.

[5] Learned AAG on the other hand contends that in view of order dated 26.03.2019 in CWP No.20410 of 2017 having been complied with and payment as per entitlement made to the petitioner, no action is called for against the respondent under the Contempt of Courts Act, 1971.

[6] I have considered the submissions of learned counsel.

[7] Notice has yet not been issued in the instant case.

[8] Admittedly, order dated 26.03.2019 in CWP No.20410 of 2017 has been complied and the petitioner released payment due to him as per his entitlement. Accordingly, in the light of the position noted above, as well as statement of learned counsel for the petitioner, no action is called for against the respondent under the Contempt of Courts Act, 1971.

[9] Contempt petition is accordingly *disposed of* as such.

(B.S. Walia)
Judge

21.03.2022
'Rajneesh'

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