121/4 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP-248-2022
Date of Decision : 20.05.2022

M/s Gurinder Singh Contractor …Petitioner

versus

Sarvjit Singh, IAS and others ….Respondents

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

Present : Mr. R.K. Girdhar, Advocate for the petitioner.

Mr. Aditya Sharda, Asstt. A.G., Punjab.

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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 13.12.2021, in CWP-25236-2021.

2. A perusal of order Annexure P-1 reveals that CWP-25236-2021, was disposed of vide order dated 13.12.2021, by directing respondent No.5 to consider and decide pending representation, filed by the petitioner, in accordance with law preferably within one month from the date of receipt of certified copy of the order and if conclusion was arrived at that the petitioner was entitled to the amount in question, then the same be paid forthwith within one month thereafter and in the event of delay, the petitioner would be entitled to interest @ 6% per annum for the delayed payment w.e.f. the date the amount became due till its final realization.

3. Notice has not yet been issued in this case.

4. Learned counsel contends that although payment of principal

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amount has been made yet no interest has been paid on the ground that there is no delay in making the payment. Learned counsel contends that in the circumstances the petitioner does not press the instant petition and may be permitted to withdraw the same with liberty to challenge action of respondent No.5 with regard to non-entitlement of interest for the delayed payment, by way of appropriate proceedings, in accordance with law.

5. The same is not opposed to by the learned AAG, Punjab.

6. 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 respondent No.5 under the Contempt of Courts Act, 1971, while granting liberty to the petitioner as prayed for.

(B.S. Walia)
Judge

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'Rajesh'

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

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