132/3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-804-2022
Date of Decision :02.06.2022

Achharjit Kaur …Petitioner

versus

Arun Sekhri and another ….Respondents

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

Present : Mr. B.S Bali, Advocate for the petitioner.

Ms. Deepali Puri, Addl. AG, Punjab and Mr. Aditya Sharda, AAG, 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-3, dated 20.12.2021, in CWP-26030-2021.

2. A perusal of order Annexure P-3 dated 20.12.2021, reveals that CWP-26030-2021, was disposed of by directing the official respondents to consider legal notice dated 10.11.2021 as representation of the petitioner and decide the same in accordance with law by passing a speaking order preferably within one month from the date of receipt of certified copy of the order and if the petitioner was found entitled to and there was no impediment for release of payment, torelease the same to the petitioner as per law without any delay.

3. Learned Addl. AG, Punjab, has produced copy of speaking order Annexure R-1/T dated 15.02.2022 passed by the Deputy Registrar Co-operative Societies, Shahid Bhagat Singh Nagar holding the petitioner

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entitled to payment but restricting the same to 10% of the deposit made in view of there being a large number of similarly situated depositors whose payments are to be made. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal of the same states that in view of order Annexure R-1/T, the petitioner may be permitted to withdraw the instant petition with liberty to seek release of payment as ordered vide Annexure R-1/T from the Society without prejudice to his right to challenge order Annexure R-1/T to the extent the same denies payment of full amount deposited by the petitioner and to claim full payment as deposited by the petitioner

4. The same is not opposed to by the learned State counsel.

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 as prayed for.

6. Rule discharged.

(B.S. Walia)
Judge

02.06.2022
ps

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

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