

COCp-1136-2022

Date of Decision : 31.05.2022

M/s B.S. Builders

...Petitioner

versus

Anurag Verma, IAS and others

....Respondents

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

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

Mr. Aditya Sharda, AAG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 21.04.2022, in CWP-8018-2022.

2. Learned counsel contends that vide order Annexure P/1 dated 21.04.2022, in CWP-8018-2022, the Executive Engineer, PWD (B&R) Malerkotla, was directed to decide the legal notice of the petitioner dated 17.03.2022, in accordance with law, preferably within one month, from the date of receipt of certified copy of the order, but till date needful, has not been done by respondent No.4, therefore, he is liable to be proceeded against under the Contempt of Courts Act, 1971.

3. Learned AAG, Punjab, has produced copy of order dated 30.05.2022, passed by respondent No.4, holding the petitioner entitled to payment of Rs.16,93,300/- and further mentioning therein that aforementioned payment would be released to the petitioner after obtaining revised administrative approval and budget grant. Learned

AAG, Punjab, further on instructions from Mr. Rajiv Kumar, Executive Engineer, PWD (B&R), Malerkotla, states that payment as per entitlement determined vide order dated 30.05.2022, would be released to the petitioner within six weeks from today. The aforementioned order is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal thereof states that in the circumstances, the petitioner is not interested in pursuing the instant petition and may be permitted to withdraw the same while directing respondent No.3 to release payment to the petitioner as per entitlement determined vide order dated 30.05.2022, in a time bound manner.

4. In view of the position noted above as well as instructions obtained by the learned AAG, Punjab besides the statement by the learned counsel for the petitioner, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971, while directing respondent No.4 to adhere to the assurance held out through the learned AAG, Punjab and to release payment as per entitlement determined vide order dated 30.05.2022, within six weeks from today. Needless to mention, in case the payment is not released to the petitioner within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the instant petition.

(B.S. Walia)
Judge

31.05.2022
rajesh

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