

120-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-1676-2021 (O&M)
Date of Decision : 19.04.2022

The Kakepur Co-operative Labour & Construction Society Ltd.
...Petitioner

Versus

Ajoy Kumar Sinha and othersRespondents

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

Present : Mr. Gagandeep Singh Gill, Advocate for
Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Mr. Aditya Sharda, AAG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the instant petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/1 dated 25.11.2020 in CWP No. 20009 of 2020 in case titled as The Kakepur Co-operative Labour & Construction Society Ltd. Vs. State of Punjab and others.

2. A perusal of order, Annexure P-1 dated 25.11.2020 reveals that CWP No.20009 of 2020 was disposed of by directing the Director, Department of Local Government/Local Bodies, Punjab Municipal Bhawan, to objectively consider the legal notice and decide the same by passing a speaking order in accordance with law, within two months from the date of receipt of certified copy of the order and if the claim was found to be genuine, to make payment in respect thereto within 30 days thereafter, failing which interest @ 12% per annum would be payable on expiry of aforesaid period of 30 days.

3. The instant petition was disposed of vide order dated 29.09.2021 by directing respondent No.2 to adhere to the undertaking given by him through the learned State counsel and to release payment to the petitioner as per entitlement as determined vide respective orders passed on its claim within four weeks from the date of order, while granting liberty to the petitioner to move an application for revival of the contempt petition in the eventuality of non-compliance. The instant petition was revived vide order dated 02.04.2022 on account of non-compliance with the orders dated 29.09.2021 in COCP No.1676 of 2021 in terms of the undertaking given by respondent No.2.

4. Learned Counsel for the petitioner states that now the payment in terms of order dated 29.09.2021 has been made to the petitioner, therefore, the petitioner is not interested in pursuing the contempt petition and may be permitted to withdraw the same.

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 respondent under the Contempt of Courts Act, 1971.

6. Rule discharged.

(B.S. Walia)
Judge

19.04.2022
hemlata

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