

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CWP No. 19093 of 2019

Date of decision:23.05.2022

M/S ISPAT STRUCTURAL P LTD

.....Petitioner

Vs

PUNJAB STATE POWER CORPORATION LTD AND ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Baljinder Singh, Advocate
for the petitioner.

Mr.C.L.Pawar, Sr.DAG, Punjab.

Mr.Alok Mittal, Advocate for
the respondents.

RAJ MOHAN SINGH, J.(Oral)

This petition has been filed by the petitioner for quashing of order dated 10.06.2019 passed by respondent No.2, thereby, directing the petitioner to deposit an amount of Rs.5,77,436/- (Rs.3,26,927/- along with interest of Rs.2,50,509/-) so that further action in the case may be taken by the respondents-corporation.

Learned counsel for the petitioner submits that earlier the petitioner filed CWP 14653 of 2021, which was disposed of vide order dated 09.09.2014 by observing that the case of the

petitioner is covered under Clause 7 (a) (c) of the One Time Settlement Policy. In view of above, order dated 16.06.2011 was set aside and respondents were directed to reconsider the case of the petitioner under the One Time Settlement Policy in accordance with law by passing a speaking order. The said order was unsuccessfully assailed by the respondents-corporation in LPA No.199 of 2015, which was also disposed of vide order dated 11.02.20215 on the same terms i.e. to consider the case of the petitioner under the One Time Settlement provided all other requirements are satisfied by the present petitioner.

Thereafter, vide letter dated 10.06.2019, demand of Rs.5,77,436/- was raised by the respondents-corporation. On 17.07.2019, learned counsel for the petitioner undertook to furnish a demand draft of Rs.5,77,436/- and thereafter, the petitioner had furnished the same and order dated 05.08.2019 came to be passed. Two demand drafts dated 30.07.2019 drawn in favour of Punjab State Power Corporation Limited in a total sum of Rs. Rs.5,77,436/- have already been deposited with the Registry of this Court in safe custody.

Learned counsel for the petitioner further submits that the aforesaid amount is payable to the respondent-corporation and thereafter, respondent-corporation may be directed to

abide by the understanding i.e. to consider the case of the petitioner under One Time Settlement policy dated 21.01.2021 so that the controversy be put to an end.

Since the aforesaid amount was deposited only at the instance of the respondent-corporation, therefore, I deem it appropriate to close the chapter on the basis of doctrine of finality. The demand drafts are required to be revalidated as on date for which learned counsel for the petitioner undertakes to get the drafts revalidated within two weeks from today. On revalidation, the drafts be handed over to the respondent-corporation within a further period of two weeks.

Petition stands disposed of accordingly.

May 23, 2022

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No