

Giano Devi

...Petitioner

versus

Dinesh Dhir and others

....Respondents

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

Present : Mr. Pankaj Maini, Advocate for the petitioner.
Mr. Sehajbir Singh Aulakh, Asstt. AG, Punjab.
Mr. Sameer Sachdeva, Advocate for the respondent No.2.

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-2, dated 19.11.2019, in CWP-20170-2003.

2. Learned counsel for the petitioner states that compromise has been entered into between the petitioner and respondent-College authorities whereby the college is making payment of Rs.8,23,859/- out of total agreed amount of Rs.10,29,824/-, as calculated by the college authorities. Affidavit furnished by the petitioner recording the aforementioned terms of the compromise has been produced by the learned counsel for the petitioner while learned counsel for the respondents has handed over cheque No.862214 dated 19.09.2022, drawn on Punjab National Bank, Sultanpur Lodhi, Kapurthala, in favour of the petitioner for a sum of Rs.8,23,859/- and states that the balance amount out of Rs.10,29,824/- would be deposited in the account of the petitioner, within three days from today, after deducting Rs.80,000/- towards TDS.

3. Learned counsel for the petitioner states that in the circumstances, the petitioner does not wish to pursue the instant petition and may be permitted to withdraw the same.

4. In view of the position noted above, as well as statement of learned counsel for the parties, the instant petition is disposed of as not calling for any action against the respondent, under the Contempt of Courts Act, 1971, while directing the respondents to ensure deposit of balance payment in the account of the petitioner within three days from today, after deducting Rs.80,000/- towards TDS. Needless to mention, in case payment is not deposited in the account of the petitioner within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the contempt petition. It is also made clear that the petitioner would be at liberty to move a representation before the DPI (Colleges), Punjab, on the basis of audit verification conducted by the DPI (Colleges), Punjab and finding that the petitioner is entitled to more payment than as has been worked out by the respondent-college, the respondent-college would be under obligation to make payment of the same to the petitioner.

5. Rule discharged.

(B.S. Walia)
Judge

19.09.2022

rajesh

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