

Kailash Singla

...Petitioner

versus

Balvinder Nain Executive Engineer

....Respondent

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

Present : Ms. Veena Hooda, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

B.S. Walia, J. (Oral)

1. Learned Counsel contends that CWP-16209-2022 was filed as final bill was not released qua work of enhancement/renovation of water supply scheme, Gaibipur, District Hisar, allocated to the petitioner on 07.08.2019, and the same was disposed of by directing the respondent to consider and decide legal notice dated 21.02.2022 and pass appropriate orders in respect thereto, in accordance with law, within two months from the date of receipt of certified copy of the order and in case the petitioner was found entitled, to release payment as per entitlement to the petitioner.

2. Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 28.07.2022, in CWP-16209-2022.

3. Issue notice to the respondent to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him.

5. Mr. Vishal Malik, DAG, Haryana, accepts notice on behalf of

the respondents and states that final bill has been passed on 25.04.2022 and funds have been sought from the head office for release thereof to the petitioner. Communication to the above effect from the respondent as has been produced by the learned DAG, Haryana, is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal thereof, states that in the circumstances she does not press the instant petition but prays for grant of liberty to take out appropriate proceedings in accordance with law to seek interest on the delay in release of payment. The same is not opposed to by the learned DAG, Haryana.

6. In view of the position noted above, as well as statement of learned counsel for the petitioners, 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.

7. Rule discharged.

(B.S. Walia)
Judge

31.10.2022
rajesh

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