

COCp-2550-2022

Date of Decision :19.12.2022

M/S AVR IMPEX

...Petitioner

versus

J.J.GOEL, CHIEF ENGINEER (SOUTH),
DEPARTMENT OF WATER SUPPLY
AND SANITATION, PUNJAB

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Akash Yadav, Advocate for the petitioner.
Mr. Ajit Singh Natt, 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 20.05.2022 in CWP No.10857 of 2022 in case titled as M/s AVR Impex vs. State of Punjab and others.

[2] A perusal of order, Annexure P/1 reveals that CWP No.10857 of 2022 was disposed of by directing respondent No.4 therein to take note of the claim made in legal notice dated 22.03.2022 and to pass appropriate order in respect thereto in accordance with law preferably within two months from the date of receipt of certified copy of the order.

[3] At the outset, learned counsel for the petitioner states that pursuant to the notice issued to the respondent on 22.11.2022 only part payment has been made to the petitioner, while payment as claimed as per entitlement in terms of the claim made in the legal notice dated

22.03.2022, has not been made, therefore, although the petitioner does

not press the instant petition but prays for grant of liberty to the petitioner to take out appropriate proceedings in respect of the balance outstanding payment in terms of the claim made in the legal notice dated 22.03.2022 as per the terms and conditions of the agreement between the parties.

[4] The same is not opposed to by the learned AAG.

[5] In view of the position noted above as well as the 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 while granting liberty to the petitioner as prayed for.

[6] Rule discharged.

(B.S. Walia)
Judge

19.12.2022
'Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>