

COCp-13-2020

Date of Decision :23.05.2022

M/s Buildwell Construction Company

...Petitioner

Versus

A. Venu Prasad and Ors.

....Respondents

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

Present : Mr. Chirag Girdhar, Advocate for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.
Ms. Kavita Arora, Advocate for respondent No.3.

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 30.05.2019 in CWP No.15119 of 2019 in case titled as M/s Buildwell Construction Company vs. State of Punjab and Ors.

[2] A perusal of order, Annexure P/1 reveals that CWP No.15119 of 2019 was disposed of by directing the Chairman Improvement Trust, Ranjit Avenue, Amritsar to consider the claim of the petitioner against the backdrop of representation dated 22.04.2019 and take a decision thereupon expeditiously and in any case within eight weeks from the date of receipt of certified copy of the order and in case any amount was found due, to release the same forthwith.

[3] Learned counsel appearing for respondent No.3 refers to speaking order, Annexure P-4 / Annexure R/1 dated 02.08.2019 as per which claim of the petitioner has been rejected on account of failure of the petitioner to produce the original documents. Despite order dated

07.01.2020, the petitioner has not filed any affidavit showing compliance with the directions in order dated 02.08.2019 passed by the Chairman Improvement Trust, Ranjit Avenue, Amritsar calling for production of original bills for purchase of bitumen.

[4] Faced with the aforementioned position, learned counsel for the petitioner prays for permission to withdraw the instant petition with liberty to challenge order, Annexure P-4 / Annexure R/1 dated 02.08.2019 by way of appropriate proceedings in accordance with law.

[5] In view of the position noted above as well as statement of learned counsel for the petitioner, the contempt 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.

(B.S. Walia)
Judge

23.05.2022

'Amit'

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