

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.O.C.P. No. 1392 of 2014.
Date of Decision : 01.08.2014.

Mohinder Singh

...Petitioner

Versus

Sarvesh Kaushal and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Ankit Duggal, Advocate for the petitioner.

Mr. K.D.S. Sidhu, Addl. A.G., Punjab.

Tejinder Singh Dhindsa, J. (Oral)

This order shall dispose of the instant contempt petition which alleged the non-compliance of the order dated 18.12.2013 passed by this Court in CWP No. 27325 of 2013 titled as Mohinder Singh Vs. State of Punjab and others.

It may be briefly noticed that the petitioner has filed the afore-noticed writ petition praying for issuance of a writ of mandamus for directing the respondents to make the payments with regard to certain work orders that had been executed by the petitioner in the capacity of a Govt. Contractor.

Such writ petition came to be disposed of on 18.12.2013 in the light of the following order :-

“Having heard the learned counsel for the petitioner and without expressing any opinion on the merits of the case, including the issue of limitation, if

any, the Executive Engineer, Bhakra Main Line Division, Patiala-respondent No. 2 is directed to look into the matter, consider the grievance of the petitioner, raised vide his legal notice dated 23.09.2013 (Annexure P1) and decide the same, at an early date by passing an appropriate order thereon, in accordance with law, but in any case within a period of one month from the date of receipt of a certified copy of this order.

It is further directed that if, after due consideration of the matter, respondent No. 2 comes to the conclusion that the petitioner is entitled for the amount being sought to be released, the same shall be released in his favour, without any further loss of time.

With the observations made above, the present petition stands disposed of.

Sd/- 18.12.2013

*Sd/-
(RAMESHWAR SINGH MALIK)
JUDGE"*

In purported compliance of the directions issued by this Court, the Executive Engineer Bhakra Main Line Division, Patiala passed a speaking order dated 28.01.2014 (Annexure P-2) and as per which an amount of ₹8,13,633/- was found due to the petitioner.

The instant petition has been filed raising a grievance that even though the speaking order has been duly passed and the amount due with petitioner has been determined yet the requisite amount has not been disbursed to him. It was on such basis that the present contempt petition has been filed.

Learned State counsel has adverted to the affidavit of the Executive Engineer, Bhakra Main Line, Division Patiala, respondent No. 2 that has been placed on record and would submit

that the requisite payment i.e. ₹8,12,833/- has already been released on 01.07.2014. Towards such assertion, counsel would also refer to the document dated 2.7.2014 placed on record at Annexure R-1 along with reply, wherein the petitioner himself has acknowledged the receipt of the requisite funds.

In the light of such factual position, this Court is satisfied that there has been complete compliance of the order dated 18.12.2013 passed by in CWP No. 27325 of 2013.

Contempt petition is, accordingly, disposed of.

Rule discharged.

August 01, 2014.
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(TEJINDER SINGH DHINDSA)
JUDGE