

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

242

COCP-1125-2019
Date of Decision : May 30, 2019

JAGROOP SINGH

.....Petitioner

VERSUS

DARSHAN LAL DUGGAL

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. S.S.Bhinder, Advocate
for the respondent.

NIRMALJIT KAUR, J. (Oral)

The present contempt petition is filed for non-compliance of the order dated 21.8.2018 vide which a direction was issued to the respondent to decide the representations by way of passing speaking order and in case the petitioner is found entitled to the same, the amount due to the petitioner should be released within a period of next 45 days.

Reply is filed by the respondent. As per the same, the representation of the petitioner was decided by passing speaking order Annexure P-2 vide which the claim of the petitioner has been accepted.

In view of the same, the contempt petition is dismissed.

Rule issued against the respondent(s) is discharged.

At this stage, learned counsel for the petitioner states that in case his claim was allowed, the said payment was also to be made to him within 45 days.

Learned counsel for the respondent has, however, pointed out that the same is to be paid by the Society and the Society has not been made a party to the contempt petition. This fact is disputed by learned counsel for the petitioner, who states that the direction was to respondent No.3 i.e. Deputy Registrar. However, perusal of the said order shows that the direction was given to the Deputy Registrar to consider the claim of the petitioner. There was no direction to respondent No.3 to make the payment.

Accordingly, the petitioner is at liberty to file a representation to the appropriate authority to make the said payment. In case the same shall not be paid by the appropriate authority as per the speaking order passed by the respondent within one month of the receipt of the said representation, the petitioner will be at liberty to file a contempt petition thereafter against the appropriate authority.

(NIRMALJIT KAUR)

JUDGE

May 30, 2019

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|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable. | : | Yes/No |