

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1. COCP No.2612 of 2018 (O&M)
Date of decision : 25.2.2019

M/s Chhabra Engineering Works

..Petitioner

Vs.

Anirudh Tewari IAS and others

..Respondents

A N D

2. COCP No.2973 of 2018

M/s J.K.Associates

..Petitioner

Vs.

Anirudh Tiwari IAS and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE NIRMALJIT KAUR

Present: Mr.R.K.Girdhar, Advocate for the petitioner.

Mr.Parambir Singh, Advocate for respondents No.2 and 4.

Mr.Sarvesh Malik, Advocate for respondent No.3.

Mr.Kanisth Ganeriwala, AAG Punjab.

NIRMALJIT KAUR, J. (ORAL)

CM No.3855-CII of 2019

Reply by way of affidavit filed on behalf of respondent
No.3 is taken on record.

CM stands disposed of.

Main Case

This order shall dispose of two contempt petitions bearing COCP Nos.2612 and 2973 of 2018 by a common order as the common question of law is involved therein.

The present contempt petition is filed for non compliance of order dated 26.4.2018 vide which the Executive Engineer (C), Punjab Mandi Board Fazilka was to consider and decide the legal notice regarding payment of work executed by the petitioner.

Reply has been filed by the respondent-Chief Administrator, PUDA stating therein that the consolidated amount of Rs.8 Crores which includes the amount due to the petitioner, has already been released to the office of Deputy Commissioner, Fazilka on 18.1.2019 which is further required to be released to the Executive Agency i.e. Executive Engineer, Punjab Mandi Board-respondent No.4. In the reply filed by Executive Engineer, Punjab Mandi Board-respondent No.4 it is stated that till date they have yet not received the said amount.

In view of the above two separate replies filed by the respondents i.e. PUDA and Punjab Mandi Board, counsel for the respondent-State is directed to inform respondent No.1, Principal Secretary to Government of Punjab, Department of Finance as well as the concerned Deputy Commissioner who shall ensure that the amount of payment be released to the Mandi Board within one week from today with further direction to respondent No.4-Punjab Mandi Board to

release the payment to the petitioner within one month on receiving the payment amount from Deputy Commissioner in terms of the reply filed by the PUDA. In case needful is not done by the Deputy Commissioner or Punjab Mandi Board as directed above, the petitioner shall revive the present contempt petition by impleading Deputy Commissioner as one of the respondents.

In view of the same, the contempt petitions are dismissed.

Rule issued against the respondents stands discharged.

25.2.2019
Meenu

(NIRMALJIT KAUR)
JUDGE

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