

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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COCP No.1935 of 2015

Date of Decision: August 06, 2015

Rakesh Kumar Arora @ Bawa son of Om Parkash resident of 1850/8, Abadi
Gokul Chand, Shakti Nagar, Amritsar

...Petitioner

Versus

Satish Kumar Chawla

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Dilpreet Singh Gandhi, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging non-compliance of the order dated 20.04.2015 (Annexure P-1) passed by this Court, *in toto*, by the respondents. Counsel for the petitioner contends that the respondents were directed to decide the legal notice dated 21.01.2015 within a period of four weeks from the date of receipt of certified copy of the order. In the said notice, petitioner had not only sought the refund of the amount, which he had deposited as penalty i.e. ₹3,48,000/- on the registration of an FIR against him but had also claimed interest thereon. He states that although the petitioner has been refunded an amount of ₹3,48,400/- but no interest has been paid by the respondents as per the claim made in the legal notice. He, therefore, contends that the respondents have violated the order passed by this Court.

This contention of the counsel for the petitioner cannot be accepted as there was no specific direction given by this Court with regard to grant of interest. Direction was issued to decide the claim of the

petitioner made in the legal notice and grant him consequential benefits in case of acceptance thereof. As per the position, as has been stated by the counsel for the petitioner that the petitioner has been refunded the amount, he had deposited, it is apparent that the interest has been denied to the petitioner. For the said claim, petitioner, if advised, may avail of the remedy in accordance with law.

Disposed of with above observations.

August 06, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE