

(2023) 01 UK CK 0052

In the Uttarakhand High Court

Case No : Contempt Petition No. 194 Of 2017

Harish Chandra Arya

APPELLANT

Vs

Dhiraj Singh Garbiyal

RESPONDENT

Date of Decision : 10-01-2023

Acts Referred:

Citation : (2023) 01 UK CK 0052

Hon'ble Judges : Vipin Sanghi, CJ

Bench : Single Bench

Advocate : Krishan Kumar Verma, Sandeep Kothari

Final Decision : Disposed Of

Judgement

Vipin Sanghi, CJ

- 1) This contempt petition has been preferred alleging willful and conscious disobedience of the order dated 30.03.2017, passed in Writ Petition (S/S) No. 1150 of 2016.
- 2) The said order is under challenge in Special Appeal No. 419 of 2017, which is still pending consideration.
- 3) The respondent has filed a short affidavit bringing on record the order dated 02.08.2017, passed in the said special appeal, wherein the Court directed that, in case, the pensionary amount payable to the respondent exceeds the amount which is due from the respondent towards the recovery, and the same is paid, the petitioner herein, would not press the contempt. The affidavit states that in compliance of the order dated 02.08.2017, the amount which is exceeding the amount sought to be recovered has already been paid to the petitioner.
- 4) In the light of the aforesaid, this petition does not survive, at this stage. The same is, accordingly, closed.