

**COPC No.147/2020**

04.01.2021 Present: Mr.R.K. Gautam, Sr. Advocate with Ms. Megha Kapur Gautam, Advocate, for the petitioner.

Mr. Ashok Sharma, Advocate General with Mr. Vinod Thakur, Mr. Vikas Rathore, Mr. Shiv Pal Manhans, Mr. Nand Lal Thakur, Additional Advocates General, Mr. Bhupinder Thakur, Ms. Seema Sharma, & Mr. Yudhvir Thakur Deputy Advocate Generals, for the respondents/State.

Ms. Bhavana Dutta, Advocate, for respondent No.2.  
**(Through video conferencing)**

**CMP No.83/2021**

This application has been moved by the petitioner in  
a decided case with the following prayer:-

*“This Hon’ble Court be kindly be pleased to observe that the judgment dated 02.11.2020 passed in COPC No.147/2020, shall have no bearing on the controversy inter-se the petitioners and the respondents regarding the payment claimed by the petitioner for the work done by them and for which the petitioners be kindly be allowed to avail the remedies as available to them, prescribed under law.”*

Even though the aforesaid prayer is vehemently opposed by Ms. Bhavana Dutta, Advocate, for respondent No.2, however, we find that the prayer being absolutely innocuous, deserves to be allowed. If a party is entitled to raise a particular claim in accordance with law, then there is no law, which can prevent a party from availing such remedies. Accordingly, the application is allowed. It is further made it clear that the judgment dated 2.11.2020, passed in Contempt Petition No.147/2020, shall not come in

the way of the petitioner in seeking any remedy, not covered under the judgment in accordance with law.

Application stands disposed of.

**(Tarlok Singh Chauhan)**  
**Judge**

**(Jyotsna Rewal Dua)**  
**Judge**

**4<sup>th</sup> January, 2021** (Rohit)