

COCP No.1055 of 2015

[2]

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

**COCP No.1055 of 2015
Date of decision:14.05.2015**

Madan Pal and another

...Petitioners

Versus

Jai Parkash and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Brijender Kaushik, Advocate,
for the petitioners.

Rakesh Kumar Jain, J.

This petition is filed under Sections 10 and 12 of the Contempt of Courts Act, 1971, for the alleged willful disobedience of the order dated 25.07.2014, passed by this Court in Civil Revision No.4 of 2012. The operative part of the aforesaid order dated 25.07.2014 reads as under:-

“....The Court notices with grave concern that the parties have been litigating virtually on an issue which ought to have been settled amicably, particularly, when both the parties are in possession of equal amount of land and the dispute centres around the use of a passage. Continuation of the litigation for last more than 3 decades is frivolous and has resulted in sheer wastage of the time of the Court. Therefore, if Court comes to the conclusion on the basis of any material brought before it by moving an application in this petition that the approach of either of the parties is obstructionist exemplary costs would be imposed upon the defaulting

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party for resorting to frivolous litigation and wasting time of the Court unnecessarily.....”

From a close perusal of the aforesaid order, it is apparent that it was for the petitioners to have filed an application in the revision petition instead of filing this contempt petition.

In view thereof, I do not find any merit in the present contempt petition and hence, the same is hereby dismissed.

May 14, 2015
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(Rakesh Kumar Jain)
Judge