

COCP No.1422 of 2015

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

**COCP No.1422 of 2015
Date of decision:29.05.2015**

Harwinder Singh alias Harbinder Singh ...Petitioner
Versus
Tejinder Singh and others ...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mrs. Anupam Bhanot, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has alleged willful disobedience of the order dated 05.11.2014 passed in RSA No.5024 of 2014, which reads as under:-

“Trial court record be called for 17.11.2014.

Meanwhile, both the parties shall not use any coercive means to take forcible possession of the disputed property.”

The petitioner has alleged that the respondents have forcibly taken possession by harvesting the crop of the petitioner. In order to prove this fact, some photographs (Annexure P-4) have been appended.

After hearing counsel for the petitioner and examining the available record, I am of the considered opinion that the evidence which is placed on record to serve notice to the respondents is not sufficient because had there been trespassing and theft of the crop of the petitioner, as alleged, he should have registered a criminal case against the respondents but no

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such action has been taken.

In view thereof, simply on the basis of some photographs, which do not show anything except the assembling of certain persons on some land, this Court cannot initiate contempt proceedings against the respondents.

Dismissed.

May 29, 2015
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(Rakesh Kumar Jain)
Judge