

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

COCN No. 272 of 2015 (O&M)

Date of Decision: 24.02.2015.

Brij Raj

--Petitioner

Versus

Sh. T.C. Gupta & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Deepak Sharma, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The instant contempt petition has been filed asserting willful disobedience of the order dated 10.12.2014, passed by this Court while disposing of CWP No.14157 of 2014.

Counsel would vehemently argue that Sagar Educational Trust has encroached upon the land of the petitioner and by representing such land to be under the ownership of the Trust, has even been granted affiliation from the concerned quarters for running a school. Counsel would contend that inspite of the order dated 10.12.2014 passed by the Writ Court no final decision with regard to disaffiliation of the school being run under the aegis of the Trust has been taken by the respondents-contemners till date. It has further been argued that with regard to the parcel of land in question a partition has already been done and the petitioner is staking his claim on the basis of such partition proceedings.

During the course of arguments it stands conceded that a suit has been instituted by the Sagar Educational Trust seeking declaration with regard to ownership of the parcel of land and which is being contested by the present petitioner. Counsel further informs that such suit is now at the

stage of final arguments before the competent civil court.

Under such circumstances, this Court is satisfied that the question of title with regard to the parcel of land being at the adjudicatory stage before the competent court, no case for contempt would be made out, at this stage.

Petition is, accordingly, dismissed.

Pending application(s), if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

February 24, 2015.
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