

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No. 5 of 2015

Date of Decision 06.01.2015

Anup

...Petitioner

Versus

Sri Bhagwan Sarpanch Village Aswarpur

---Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: - Mr. Vinod Bhardwaj, Advocate
for the petitioner.

HARINDER SINGH SIDHU,J (Oral)

The petitioner is the owner in possession of 1/2 share of total land measuring 11 Kanal 12 Marla comprising Khewat No. 434 min/618 min, Khata No. 472, Rect. and Kill Nos. 45//8/2 (3-12) 9 (8-0) situated within the revenue estate of village Asawarpur, Tehsil and District Sonapat.

The petitioner filed Civil Suit No. 293 of 2012 against Village Panchayat for permanent injunction for restraining the respondents from dispossessing the petitioner from the land in question by leasing out or auctioning the same. The civil suit was dismissed as withdrawn on the statement of respondents that the petitioner will only be dispossessed as per law. The Civil Court directed the parties to remain bound by their statements.

This petition has been filed by alleging that now the respondents have again started harassing the petitioner and obstructing him from entering into the land in dispute and restraining him to cultivate the same.

Learned counsel for the petitioner states that the aforesaid action tantamount of the violation of undertaking given by the respondents in terms of which Civil Suit was disposed of.

From the averments made in the petition, it does not appear that as on date undertaking given before the Civil Court has been violated as the petitioner has not been dispossessed from the land in question. If the

respondents are otherwise threatening or restraining the petitioner from entering into the land in dispute, the petitioner may take recourse to appropriate remedy as available under the law.

In view of the above, this petition stands disposed of.

However, it shall be open to the petitioner to initiate contempt proceedings if the undertaking is violated.

06.01.2015

Atul

(HARINDER SINGH SIDHU)
JUDGE