

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

COCP No.509 of 2015
Date of Decision: 12.03.2015

Baljit Singh

. . . .Petitioner

Versus

Upenderjit Singh Ghuman and another

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Preetwinder Singh Dhaliwal, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J.

This petition has been filed against the Senior Superintendent of Police, Barnala and SHO, Police Station Sadar, Barnala invoking the provisions of Sections 10 & 12 of the Contempt of Courts Act, 1971 [for short 'the Act'] for disobeying the orders dated 4.12.2013 and 6.11.2013 passed by the AC 1st Grade, Barnala.

The petitioner alleged to have filed a suit for specific performance against one Darshan Singh, which was decreed on 14.6.2008 by the Civil Judge (SD), Barnala and the sale deed was executed in his favour on 7.12.2010. Thereafter, he filed an application for partition of the suit land which was allowed on 29.4.2013 and the Sanad Takseem was issued on 30.9.2013. The petitioner filed an application for warrant of possession on the basis of Sanad Takseem before the Assistant Collector, 1st Grade, Barnala.

On the said application, order dated 6.11.2013 was passed for issuance of warrant of possession and on 4.12.2013, field staff demanded police help for executing the warrant of possession, which was recorded in the order that request has been made to ask the Sub Divisional Magistrate, Barnala to provide police help and the case was listed for 31.12.2013. It is further averred that letter dated 6.1.2014 was written by the District Magistrate, Barnala to the SSP, Barnala for providing police help for the purpose of execution but no protection was provided to the field staff by respondent No.2. Hence, it is prayed in the present petition that an appropriate action may be taken against respondents No.1 & 2 for violating the orders dated 4.12.2013 (Annexures P1) and 6.11.2013 (Annexures P2).

After hearing learned counsel for the petitioner and perusing the record, I am of the considered opinion that no case of contempt of Court is made out for the purpose of invoking the provisions of Sections 10 & 12 of the Act. The Revenue Court is competent to execute its order in terms of the provisions of law. Consequently, no action is required to be taken in the present petition.

Dismissed

12.03.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**