

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

COCN No. 3531 of 2014 (O&M)

Date of Decision: 07.01.2015.

Jaswant Singh

--Petitioner

Versus

Jitender Singh Aulakh & others

--Respondents

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

Present:- Mr. D.S. Gandhi, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed alleging willful disobedience and non-compliance of the order dated 28.5.2014, passed by this Court while disposing of CRM No. M-18888 of 2014.

Learned counsel for the petitioner has been heard.

The petitioner had apparently approached this Court under Section 482 Cr.P.C seeking issuance of directions to the official respondents not to interfere in his alleged peaceful possession of certain property.

Perusal of the order dated 28.5.2014 at Annexure P-1 would reveal that the Court had specifically observed that no documents had been placed to demonstrate the assertion as regards his possession of the land. It had also been observed that there was a dispute between the petitioner and the private respondents and even civil litigation in regard thereto was pending. Accordingly, the petition was disposed of with a direction to the Commissioner of Police, Amritsar to examine his grievance only qua role attributed to the S.H.O and Dy.S.P, Police Station, village Kalewal, District Amritsar.

Counsel would assert that after the passing of the order dated 28.5.2014 the house of the petitioner which was situated on the land in dispute has since been demolished.

Even if such assertion is taken to be correct, still, this Court is of the considered view that no case of contempt is made out. Admittedly, there is a litigation between the petitioner and other private persons. It is not the case of the petitioner that such alleged demolition of his house has been made in violation of any injunction order that may have been passed by the competent court in pursuance to the civil litigation that is pending between the parties. In the order dated 28.5.2014, passed by this Court while disposing of CRM No. M-18888 of 2014 there was no restraint order as regards possession of the land or the residential premises situated and constructed thereupon.

No case for interference is made out.

Petition dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

January 07, 2015.
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