

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANIDGARH**

**COCN No.3573 of 2014**

**Date of decision:02.02.2015**

Chandan Singh

... Petitioner

Vs.

Sh. Ashok Kumar Meena & others

... Respondents

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

Present: Mr. R.S. Sihota, Sr. Advocate with  
Mr. B.R. Rana, Advocate for the petitioner.

....

**TEJINDER SINGH DHINDSA, J.**

The instant contempt petition has been filed asserting willful and deliberate violation of an interim order dated 02.02.2012 passed by this Court in CWP No.7472 of 2007.

Brief facts that would require notice are that the Gram Panchayat of village Chandhat had filed an ejectment application under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 seeking ejectment of the present petitioner from agricultural land described as Must No.177, Killa Nos.14, 15, 16, 17, total measuring 32 kanals, situated in the revenue estate of village Chandhat, Tehsil and District Palwal before the Assistant Collector, 1<sup>st</sup> Grade, Palwal. Such application was dismissed vide order dated 06.01.2005. Gram Panchayat then preferred an appeal before the District Collector, Faridabad and the same was accepted in terms of order dated

12.10.2006. The petitioner herein filed a revision petition before the Commissioner, Gurgaon Division, Gurgaon and the same was dismissed on 05.02.2007. It is against such brief factual backdrop that the petitioner filed CWP No.7472 of 2007 seeking quashing of the order dated 05.02.2007 passed by the Commissioner, Gurgaon Division, Gurgaon as also order dated 12.10.2006 passed by the District Collector, Faridabad.

On 02.02.2012, the following order was passed by this Court :

*“Admitted.*

*We modify order dated 24.07.2007 and direct that dispossession of the petitioner shall remain stayed subject to deposit of Rs.12,000/- per acre, per crop to the Gram Panchayat by the petitioner, within a month of each harvest. In case the writ petition is decided in favour of the petitioner, the Gram Panchayat would be required to refund the amount, so paid, to the petitioner.*

*Sd/-  
(RAJIVE BHALLA)  
JUDGE*

*Sd/-  
(JORA SINGH)  
JUDGE”*

02.02.2012

It is the assertion raised on behalf of the petitioner that the interim order dated 02.02.2012 has been willfully disobeyed at the hands of private respondents No.4 to 15 herein inasmuch as the crop of *Jawar* grown by the petitioner on the land in question was forcibly cut on 14.10.2014.

Having heard counsel for the petitioner at length, this Court is of the considered view that no case for contempt is made out.

The restraint order dated 02.02.2012 was to operate qua the Gram Panchayat and the petitioner was to remain in possession of the land in question subject to deposit of Rs.12,000/- per acre, per crop to the Gram Panchayat.

It is not the case of the petitioner that he has been dispossessed from the land in question by the Gram Panchayat. Even if respondents No.4 to 15 have forcibly entered into possession and cut the crop, which is stated to have been grown by the petitioner, the petitioner would have remedy in regard thereto as per law.

No case for contempt is made out.

Dismissed.

**02.02.2015**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**