

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

**CR No. 4820 of 2012 (O&M)
Date of Decision: 20.03.2015.**

Krishan Kumar and others

.. Petitioners

versus

Zile Singh

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Gopal Sharma, Advocate for petitioners No.2 and 3.
Mr. Y.P.Singla, Advocate for the respondent.

Rajesh Bindal, J.

Learned counsel for petitioners No.2 and 3 submitted that petitioner No.1 namely Krishan Kumar has expired.

Challenge in the present petition is to the order dated 21.05.2010, passed by the learned Addl. Civil Judge (Sr. Divn.), Panchkula whereby the petitioners were held guilty for violation of the interim order dated 8.09.2003, passed by the Court below in an application filed under Order 39 Rule 2(A) of CPC. They were directed to undergo civil imprisonment for a period of three months.

Challenge has also been made to the order dated 4.08.2012, passed by the District Judge, Panchkula, dismissing the appeal against the aforesaid order. After dismissal of the appeal the petitioners were taken into custody. They had served the sentence for a period of nineteen days.

Learned counsel for petitioners No.2 and 3 submitted that besides serving the sentence for nineteen days petitioners have also filled up the pit which had been dug for construction of a septic tank. The fact that the pit has been filled up and the obstruction in the passage has been removed, has not been disputed by learned counsel for the respondent.

After hearing learned counsel for the parties and considering the submissions made above, I find that petitioners No.2 and 3 have already undergone imprisonment for a period of nineteen days and the order passed by the Court below for violation of which they were punished, has already been complied with. The punishment awarded to the petitioners No.2 and 3 is reduced to the period already undergone and the impugned order passed by the learned Courts below is modified to the extent mentioned above.

Disposed of.

20.03.2015

Manoj Bhutani

(Rajesh Bindal)
Judge