

COCP No. 1850 of 2015

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP No. 1850 of 2015

Date of Decision: October 17, 2016

Ajit Singh & others

...Petitioners

Versus

A. Venu Parsad & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. T.P.S. Makkar, Advocate
for the petitioners.

Mr. Sushant Maini, DAG, Punjab,
for respondents No.1 and 2.

Mr. Shakti Mehta, Advocate
for respondents No.3 to 5.

Mr. Nakul Sharma, Advocate
for respondents No.9 to 11.

AUGUSTINE GEORGE MASIH, J. (Oral):

An additional affidavit of the Deputy Commissioner, Ferozepur, has been filed in Court, according to which, in compliance with the order dated 22.07.2016 passed by this Court, the demarcation of the disputed site was carried out by the Field Kanungo, who visited the spot on 07.10.2016 in the presence of the parties and during the course of the said proceedings, police party and the Illaqa Magistrate were also present at the spot. During demarcation proceedings, the alleged wall was found to be constructed on the phirni and the said wall was demolished with the help of the JCB machine, which was provided by the Gram Panchayat. No dispute

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of any type took place at the time of demolition of the said wall. A report to this effect was entered by the Field Kanungo, Shri Kewal Krishan in the Roznamcha Waqiat of the Patwari, against Sr. No.47 on 07.10.2016. The order as passed by this Court has been duly complied with rendering the present contempt petition infructuous.

Counsel for respondents No.9 to 11 states that their right be protected as in the earlier affidavit which has been filed by the Deputy Commissioner, Ferozepur and as per the demarcation, it has been found that the wall in question was on the land which was ownership of the said respondents.

This Court has not opined upon the aspect with regard to the demarcation or otherwise and it has only proceeded to direct the respondents to remove the encroachments which they have, in accordance the order passed by this Court, proceeded to as has been referred to above.

In view of the above, the present contempt petition is disposed of without observing anything with regard to the encroachment or otherwise upon the public land by the parties.

Rule issued to the respondents stands discharged.

(AUGUSTINE GEORGE MASIH)
JUDGE

October 17, 2016

Harish

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No