

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
101**

**C.M. No. 24832-CII of 2016 and
COCP No. 2916 of 2015 (O&M)**

Date of decision: 08.12.2016

Rajinder

...PETITIONER

VS.

Bijinder Singh

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. S.K.S.Bedi, Advocate,
for the petitioner.

Ms. Sunint Kaur, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

COCP No. 2916 of 2015

It is an admitted fact that in pursuance to the order passed by this Court on 08.07.2015 in CWP No. 13382 of 2015 titled as Rajinder vs. State of Haryana and others, an order has been passed by the respondents, which, the counsel for the petitioner states, is not in accordance with law as after the plot has been earmarked for the petitioner, there is no question of the consent of the co-sharers being taken for the said purpose and the allotment of plot to be kept in abeyance till the fresh draw of lots is held. He contends that this allotment of plot was qua the share of the petitioner and not relatable to the other co-sharers. This contention of the learned counsel for the petitioner cannot be gone into in the contempt petition as the direction, which has been issued by the Division Bench of this Court in its

order dated 08.07.2015, was as follows:-

“4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No. 2 to take a decision on the legal notice dated 8.4.2015 (Annexure P-1), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order.”

In view of the above, the respondent having passed an order in pursuance to the above order of the Division Bench of this Court, this Court, in contempt, cannot go into the arguments, as have been raised by the counsel for the petitioner. Petitioner, if so advised, may avail of his remedy in accordance with law.

In view of the above, the present contempt petition stands disposed of with liberty aforesaid.

C.M. No. 24832-CII of 2016

In the light of the disposal of the main contempt petition, this application has been rendered infructuous and is disposed of as such.

December 08, 2016

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned:	Yes
Whether Reportable:	No