

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

135

COCP No.3261 of 2016

Date of Decision: December 21, 2016

Gurvinder Singh

...Petitioner

Versus

Sh. Gopal Krishan Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Birinder Singh Khehar, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging violation of the order dated 01.12.2015 passed by this Court, whereby the order dated 14.10.2015 passed by the Joint Development Commissioner, Punjab, had been stayed qua the petitioner only.

2. Counsel contends that COCP No.812 of 2016 was filed in which notice has been issued to the respondent which is pending. He contends that thereafter the respondents have again violated the order passed by this Court. Reference in this regard has been made to the orders which have been appended as Annexures P-5 (colly.), P-6 and P-7. He, thus, contends that again a contempt has been committed by the respondents in pursuance to and in violation of the order dated 01.12.2015. It has further been alleged that the Director, Rural Development and Panchayat has clarified the order dated 01.12.2015 passed by this Court vide his order dated 02.08.2016 (Annexure P-3).

3. If that be so, petitioner should have moved an appropriate application for bringing the correct facts and the further developments to the notice of the Court in COCP No.812 of 2016 which has been preferred

by the petitioner and is pending. A plea has been raised that the parties to the present contempt petition and that of the earlier contempt are different but that cannot be a ground for filing a separate contempt petition.

4. The petitioner, if so advised, may take appropriate steps to implead the present respondents as a party to the contempt petition. The present contempt petition, therefore, is not maintainable and the same stands dismissed.

December 21, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No