

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

**COCP No.1096 of 2017
Date of decision: 02.05.2017**

**Rehri Farhi Rojgar Bachao Sangarsh Smiti,
Panchkula**

..Petitioner

Versus

Lalita Sivach and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Rajiv Dhawan, Advocate
for the petitioner.

Daya Chaudhary, J. (Oral)

The present contempt petition has been filed under Section 12 of the Contempt of Courts Act for initiating contempt proceedings against the respondents for deliberate and willful disobedience of orders passed by this Court on 03.06.2016 in CWP No.10223 of 2016 and 16.11.2015 in CWP No.19495 of 2015.

In order dated 16.11.2015, it has been mentioned that there shall not be any eviction or relocation of the street vendors unless the survey is completed and the certificate is issued to the eligible street vendors. However, a liberty was given to respondent No.2 to verify the location of vending business carried on by the members shown in the list submitted by the petitioner and bring to the notice of the Court as to whether there is any obstruction to the flow of vehicular and human traffic on account of the street vending business carried on by any of the members shown in the list.

Learned counsel for the petitioner submits that a members of the petitioner-Union have been evicted but in the petition, nowhere it has been mentioned as to when the eviction has been made. Only during arguments, it is stated that some of the members have been evicted. In para No.14 of the petition, it has been mentioned that the respondents have not only forcibly evicted the members of the petitioner's Union but other street vendors also.

A query was put to learned counsel for the petitioner as to when and how many members have been evicted but neither the date nor anything material has been brought to the notice of the Court. Only on the basis of general allegations, unless it is specifically mentioned as to how many members of the petitioner's Union have been evicted and how the order passed by this Court has not been implemented, no notice can be issued

Dismissed.

However, the petitioner is at liberty to file fresh petition in case, specific incidents are there for eviction of the members of the petitioner's Union.

02.05.2017
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable Yes