

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

COCN No.144 of 2017

Date of decision: 05.05.2017

Jeet Singh and another

..Petitioners

Versus

Shri J.K. Jain

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Ashok Goel, Advocate
for the petitioners.

Daya Chaudhary, J. (Oral)

The present contempt petition has been filed under Sections 11 and 12 of the Contempt of Courts Act, 1971 for non-compliance of order dated 02.08.2011 passed by this Court in CWP No.840 of 2009.

Learned counsel for the petitioners submits that in spite of directions issued by this Court in aforesaid writ petition, the Collector has not considered the plea of the petitioners whereas he was directed to ensure that no fragmentation be there in the partition proceedings.

Admittedly, in pursuance of order passed by this Court on 02.08.2011 in CWP No.840 of 2009, the appellate Authority has taken decision and vide order dated 03.04.2006, the partition had taken place as is clear from *Naksha* (Annexure P-5). It has not been pointed out by learned counsel for the petitioners as to how the compliance of order dated 02.08.2011 is not there as only direction was there to the Collector to consider the plea taken on behalf of the petitioners and to ensure that the

land holding of the petitioners be not fragmented.

Hence, no contempt is made out and as such, the petition is dismissed.

However, in case, the petitioners are still aggrieved with the partition proceedings, they are at liberty to avail the appropriate remedy.

05.05.2017
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes