

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

(105)

COCp-1491-2017

Decided on: July 07, 2017.

Dhanwant Singh

.... Petitioner

Versus

Arvind Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Baljinder Singh, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

With an objective to seek implementation of an order passed by the Additional District Judge, Fatehgarh Sahib dated 14.10.2016, the present petition has been preferred under Sections 10 and 12 of the Contempt of Courts Act.

No doubt under Section 10 of the aforesaid Act, the High Court has got jurisdiction to launch proceedings for contempt and punish a contemnor in case there is an act of contempt of Court committed by a party but taking into consideration the provision contained in (Rule 9 (c) of the Contempt of Courts (Punjab and Haryana) Rules, 1974 which form part of Part B Chapter 8 Volume 3 of High Court Rules and Orders, this Court is of the opinion that cognizance of the civil contempt is required to be taken in this case, in case the Subordinate Court makes a reference to this Court on petitioner moving an application on the allegations which are subject matter of the present contempt petition.

This petition is disposed of as pre-mature with liberty to the petitioner to approach the Court of Additional District Judge, Fatehgarh Sahib and in case the said Court after giving an opportunity to the

respondents to file reply, is prima facie of the opinion that a civil contempt has been committed of the order passed by that Court, it can make reference to this Court under Rule 9 (c) mentioned above.

(M.M.S. BEDI)
JUDGE

July 07, 2017
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No