

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

**C.O.C.P. No.2130 of 2016
Date of Decision: 21.02.2017**

Om Singh

..... Petitioner

Versus

Mandeep Singh Brar, Deputy Commissioner, Karnal

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sawan Chaudhary, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

Mr. Siddharth Sanwaria, Deputy Advocate General, Haryana
for the respondent/contemner.

JASWANT SINGH, J. (Oral)

The petitioner had filed CWP No.26130 of 2015 for setting aside the letter dated 15.05.2015, whereby the petitioner-shopkeeper has been directed to vacate the shop and hand over the possession of the said shop to the Gram Panchayat concerned. The said petition was disposed of vide order dated 15.12.2015 (**Annexure P-1**) with a direction to the Deputy Commissioner, Karnal to consider the claim of the petitioner in the light of the order dated 29.09.2015 passed by this Court in CWP No.13837 of 2015 titled as “**Baljeet Singh and others Vs. State of Haryana and others**”. Since the needful was not done, hence the present contempt petition.

At the time of hearing, reply by way of an affidavit dated 20.02.2017 of Sh. Mandip Singh Brar, IAS, Deputy Commissioner, Karnal has been filed in Court, which is taken on record. Copy of the same has been furnished to learned Counsel for the petitioner.

In the reply, it is submitted that Smt. Om Devi, sister of the petitioner and one Naresh Kumar had filed CWP No.24309 of 2015, which

was disposed of by this Court vide order dated 19.11.2015 with the directions to the Deputy Commissioner, Karnal to consider the claim of the petitioners therein in the light of the order dated 29.09.2015 passed in CWP No.13837 of 2015. In compliance of that order, the possession of the Shop No.18 has already been delivered to Smt. Om Devi (sister of the petitioner).

It is also submitted that the petitioner-Om Singh had filed CWP No.26130 of 2015, which was disposed of vide order dated 15.12.2015 with the directions to the D.C., Karnal to consider the claim of the petitioner in view of the aforesaid order dated 29.09.2015. In compliance of that order, it has been revealed that the possession of the shop in question i.e. Shop No.18 has already been delivered to the sister of the petitioner, therefore, the compliance of the order dated 15.12.2015 already stood made.

It is also submitted that the petitioner has never remained in *bona fide* possession of the shop in question. It is further submitted that the respondent authority has filed a review application in CWP No.26130 of 2015, wherein this Court vide order dated 13.01.2017 (**Annexure R-2**) directed that the order dated 15.12.2015 need not be implemented.

In view of the above, no further action is warranted.

Accordingly, the present petition stands dismissed as infructuous.

February 21, 2017

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(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>