

(1)

COCP-1043-2013 &
COCP-922-2013

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: 3rd July, 2018

COCP-1043-2013 (O&M)

Municipal Corporation, Gurgaon

...Petitioner

Versus

Raj Kumar Kataria

...Respondent

(2)

COCP-922-2013 (O&M)

Municipal Corporation, Gurgaon

...Petitioner

Versus

Munish Jain

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Raman B. Garg, Advocate, for the petitioner.

Mr. Sanjay Vij, Advocate,
for the respondent in COCP-1043-2013.

Mr. Rahul Deswal, Advocate
for the respondent in COCP-922-2013.

AUGUSTINE GEORGE MASI, J. (ORAL)

CM-9091-CII-2013

Application is allowed.

Annexures P-1 and P-2 are taken on record subject to all just
exceptions.

CM-10280-CII-2013

Application is allowed.

Annexures P-1 and P-2 are taken on record subject to all just
exceptions.

COCP-1043-2013 &
COCP-922-2013

COCP-1043-2013 &
COCP-922-2013

By this order, I propose to dispose of COCP-1043-2013, titled as 'Municipal Corporation, Gurgaon Vs. Raj Kumar Kataria', and COCP-922-2013, titled as 'Municipal Corporation, Gurgaon Vs. Munish Jain', which are said to be emanating for disobedience of the order dated 10.02.2012 passed by this Court in CWP No.18679 of 2010.

On a categoric question put by this Court as to whether the order passed by this Court, contempt of which is alleged to have been committed by the respondents, was ever communicated, intimated or published in any manner which could indicate that respondents were aware of the said order, counsel for the petitioner could neither bring out anything in the pleadings nor could he make a positive statement because of there being no instruction in this regard.

In the light of the fact that the order was not communicated to the respondents nor has it been made clear as to whether they were aware of the factum that such an order has been passed by this Court, it cannot be said that the contempt has been committed by the respondents as there is no intention for non-compliance of the order passed by this Court.

In view of the above, these contempt petitions do not survive and the same stand dismissed. Rule issued to the respondents stands discharged.

(AUGUSTINE GEORGE MASIH)
JUDGE

3rd July, 2018

Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No