

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
210**

COCP-1318-2015

Date of decision:31.07.2018

Balwinder Singh

...PETITIONER

Vs.

Arvind Parkash

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sandeep Sharma, Advocate,
for the petitioner.

Mr. Jatinder Pal Singh, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

The present contempt petition has been filed by alleging violation of the order dated 21.10.2011 (Annexure P-1) passed by the Sub-Divisional Magistrate, Ajnala, appeal against which has been dismissed by the Additional District Judge, Amritsar vide order dated 04.03.2013 (Annexure P-2).

On 09.02.2017, when the case came up for hearing, following order was passed:-

“ Learned counsel for the respondent submits that compliance of the order has already been made even prior to filing of this contempt petition and the report thereof was sent to Sub Divisional Magistrate on 15.5.2015.

Learned counsel for the respondent is directed to place on record an additional affidavit to this effect.

Adjourned to 5.4.2017.

Meanwhile, learned counsel for the petitioner is also directed to verify the fact whether the possession has been handed over to the petitioner or not.”

Thereafter, on 19.05.2017, the respondent had filed an affidavit in pursuance to the order dated 09.02.2017 stating therein specifically that the order passed by this Court stood complied with even prior to the filing of the contempt petition and the report has been sent to the office of the concerned Sub-Divisional Magistrate. It has further been asserted that the possession has been handed over to the petitioner.

Counsel for the petitioner does not dispute this aspect.

In view of the above and in the light of the specific affidavit filed by the respondent, the present contempt petition is disposed of as infructuous.

Rule issued to the respondent stands discharged.

July 31, 2018
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No