

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

COCP No.1337 of 2017 (O&M)

Date of Decision: 20.02.2018

Daljit Raj

....Petitioner

Versus

Rakesh Kaushal and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. S.C. Arora, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

C.M. No.24935-CII of 2017

This application has been moved for placing on record the complete translation of report dated 11.11.2016 (Annexure P-3).

C.M is allowed and Annexure P-3 is taken on record.

COCP No.1337 of 2017

The present petition has been filed for disobeying the order/direction dated 27.07.2016 passed in ***CRM-M No.25381 of 2016***.

The relevant part of order dated 27.07.2016 is reproduced as under :-

"I find this to be a fair request. The respondent No.2-Sr. Superintendent of Police, Pathankot is directed to look into the matter and in case it is found that any action is required, to take whatever action he deems necessary as per law.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also

stands disposed of.”

In compliance of said order, an action has been taken which is clear from report dated 11.11.2016 (Annexure P-3). The only argument which has been raised in the present petition is that the order has not been passed in view of order passed in the main petition and a wrong finding has been recorded.

On perusal of order dated 27.07.2016, it appears that only the direction was issued to Senior Superintendent of Police, Pathankot to look into the matter and to take action in accordance with law, in case, any action is required. However, in pursuance of said directions, the action has been taken. In case, the wrong finding has been recorded or wrong order has been passed, the petitioner is at liberty to challenge the same.

No ground is made out for initiation of contempt proceedings.

The petition is accordingly dismissed.

(DAYA CHAUDHARY)
JUDGE

20.02.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No