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

**COCF No.1681 of 2017
Date of Decision: 22.07.2019**

Jagmal Singh

Petitioner

Versus

Mandeep Singh Brar, Deputy Commissioner, Karnal and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

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

Mr. Apoorv Garg, D.A.G., Haryana.

Mr. Naveen Thakur, Advocate
for respondent No.3.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 19.01.2017 passed by this Court in CWP No.848 of 2017.

The operational part of the order is reproduced below:-

“Having heard learned counsel for the petitioner and keeping in view the nature of relief sought in this writ petition but without expressing any views on merits of the allegations moreso when we have not heard the private-respondents at this stage, this writ petition is disposed of with a direction to respondent Nos.3 to 5 to ascertain the correct facts and take necessary action

and/or appropriate decision in accordance with law and principles of natural justice. The needful shall be done within a period of three months from the date of receiving a certified copy of this order.”

The respondents placed on record reply dated 28.11.2017 of the Deputy Commissioner, Karnal. The relevant portion of reply is reproduced below:-

“4. That the Sub Divisional Officer (C.), Gharaunda submitted the report to the deponent vide her office letter No. Reader-78 dated 12.09.2017 vide which she reported that as per the demarcation conducted on dated 05.09.2017, 12 persons have been found to be in unauthorised possession on the panchayat land and accordingly, the Gram Panchayat Arainpura has filed petition under Section 7 of Punjab Village Common Land Act in the Court of Assistant Collector 1st Grade, Gharaunda for their eviction. The petitions are pending in the court of Assistant Collector Ist Grade, Gharaunda for 23.11.2017.”

As per reply, after demarcation 12 persons were found in unauthorised possession of *panchayat* land and proceedings under Section 7 of the Punjab Village Common Land Act, 1961 [for brevity 'the Act'] have been initiated against them.

Learned State counsel submits that needful action would be taken in accordance with law, as expeditiously as possible.

In view of statement made, learned counsel for the petitioner states that no cause of action survives for pursuing the contempt petition. More so when, proceedings under Section 7 of

the Act have already been initiated.

The contempt petition is disposed of as infructuous.

Rule issued against the respondents stands discharged.

[AVNEESH JHINGAN]
JUDGE

July 22, 2019
pankaj baweja

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No