

CM No.20-CII of 2019 in/and
COCP No.18 of 2017
Date of Decision: 24.1.2019

Ashwani Kumar Gupta

.....Petitioner

Versus

S. Malwinder Singh Jaggi and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Surinder Garg, Advocate, for the petitioner.

Mr. Kanisth Ganeriwala, Assistant Advocate General, Punjab.

Mr. Aman Sharma, Advocate, for respondent No.2.

Mr. Jagdish Manchanda, Advocate
for applicant/respondents No.3 and 4.

NIRMALJIT KAUR, J. (ORAL)

Main case is also taken up today.

The present contempt petition has been filed for non-compliance of the order dated 4.10.2008, vide which direction was issued to the respondents for removing encroachments with a direction that if any public spirited person notices that any encroachment is not being removed, he shall be at liberty to institute contempt of court proceedings against the person and/or Municipal Authorities for allowing such encroachment to take place. Further respondents No.3 and 4 have built on land belonging to the State but the respondents till date have not removed the encroachment.

During the course of hearing, it was contended by learned counsel for the applicant/respondents No.3 and 4 that respondents No.3 and 4 are ready to pay market value of the property.

However, today learned counsel for respondents has placed on record the order dated 19.11.2018 passed by the Additional Deputy

Commissioner, Faridkot, vide which recommendation of respondent No.2

to regularize the property by accepting the market price has been rejected stating that in case the illegal occupants can purchase the land by giving higher rate in pursuance to the auction they shall have no objection.

In view of the same, both the application as well as the contempt petitions are disposed of with liberty to respondents No.1 and 2 to proceed in accordance with law.

Rule issued against the respondents stands discharged.

24.1.2019
sharmila

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No