

230 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No.1970 of 2018 (O&M)
Decided on: August 19, 2019

Kuldeep Singh and others

.....Petitioners

Versus

Sanjeev Kumar Sub Divisional Magistrate, Rajpura, District Patiala

..... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Gurveer Singh Sidhu, Advocate for the petitioners.

Mr.Kanisth Ganeriwala, AAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This contempt petition has been filed pleading wilful disobedience of the order dated 01.03.2018 passed by this Court in CWP No.5041 of 2018.

The operational part of the order is reproduced below:

“Keeping in view the limited prayer of the petitioners and without commenting anything on the merits of the case, the present petition is disposed of with a directions to respondent No.3 to take action on the pending representation of the petitioners dated 15.2.2018 (Annexure P-5) within a period of three weeks from the date of receipt of a certified copy of the order, after giving opportunity of hearing to the petitioners, if necessary.”

Learned State counsel has filed short reply by way of affidavit

District Patiala. It has been stated that the representation of the petitioners has been considered and in order to appreciate the facts, demarcation was required for which the petitioners were requested to join. The petitioners were not co-operating as they were not present on the first and on second occasion. It was stated that they have sown paddy and demarcation is not possible physically. Learned counsel for the State submits that it is because of this reason that the delay has occurred.

The petitioner Kuldeep Singh, who is present in Court, duly verified by his counsel, states that again he has sown the paddy and demarcation of the land will not be possible until and unless the crop is harvested. The petitioner has utterly failed to show wilful disobedience of the order of this Court as the delay has occurred as a result of their own non co-operation. The contempt petition is dismissed. However, even at this stage, if the petitioners approach the officials for demarcation, there is no doubt that the needful would be done expeditiously.

Rule issued against the respondent stands discharged.

August 19, 2019
Meenu

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned: *Yes/No*
Whether reportable : *Yes/No*