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

**Cms-1942 and 19682-CII-2017 in/and
COCP-207-2017**

Date of Decision: February 07, 2019

Jaswant Singh and others	Petitioners
Versus	
Devender Singh @ Bhola and another	Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.S.K.Verma, Advocate for the petitioners.

Mr.Rakesh Nehra, Advocate for the respondents.

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NIRMALJIT KAUR, J. (ORAL)

CM-1942-CII-2017

Application for exemption is allowed.

CM-19682-CII-2017

Application is allowed as prayed for and reply alongwith
Annexures R1 and R2 is taken on record.

COCP-207-2017

The contempt is filed for non-compliance of the order dated
09.11.2016 vide which a direction was issued to respondent No.3 in
particular to decide the application made by the petitioners for becoming life
members of the society one way or the other, in accordance with law.

Reply has been filed. As per the said reply, the order has been
complied with by way of Annexure R-2 dated 07.01.2017 rejecting

application of the petitioners.

At this stage, learned counsel for the petitioners states that Annexure R-2 is not a decision/order, but is an inquiry report. He further states that the decision was required to be taken by the Secretary or the Chairman of the Society.

The argument of learned counsel for the petitioners does not help. Admittedly, the directions were issued to respondent No.3, who is Shri Vishawkarma Education Society, of which the members are the same who have passed Annexure R-2. The heading written on Annexure R-2 as 'Inquiry Report' does not make the said order/decision invalid. It is specifically stated in the reply that the same has been passed in compliance of the order dated 09.11.2016.

In view of the same, contempt is dismissed.

The rule issued against the respondent(s) stands discharged.

However, the petitioners are at liberty to challenge Annexure R2 in accordance with law.

February 07, 2019
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(NIRMALJIT KAUR)
JUDGE

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |