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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-2594-2017

Date of decision: 21.08.2019

Pooja Kumari

.. Petitioner

Versus

G.Ganeshan and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Hardeep Singh, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Anil Chawla, Advocate
for the respondents.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading wilful disobedience of the order dated 17.03.2017 passed by this Court in CWP No. 5528 of 2017. The operational part of the order is quoted below:

“Having heard learned counsel for the petitioner and considering the nature of relief sought by her and keeping in view the fact that prima facie the petitioner is entitled to delivery of possession of the plot free from all encumbrances and litigation, we dispose of this writ petition with a direction to the Estate Officer-II, HUDA Gurgaon as well as the Administrator, HUDA, Gurgaon, to consider the above-mentioned claim of the petitioner as contained in the legal notice dated 14.02.2017 (P-13) also and take an appropriate decision within a period of three months from the date of receiving a certified copy of this order.”

Today, learned counsel for the respondents has produced a copy of the order dated 05.10.2018 in Court today and the same is taken on

record. A copy of the same is handed over to learned counsel for the

petitioner.

Learned counsel for the petitioner submits that in view of the said order, no cause of action survives for pursuing the contempt petition. However, liberty is sought to avail remedies in accordance with law against said order and to file a fresh contempt petition if cause of action survives after the decision of Supreme Court .

Disposed of as infructuous with liberty as prayed for.

Rule issued against the respondents stand discharged.

21st August, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

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