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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-3345-2018
Date of decision: 14.10.2019

SUNIL KUMAR

.. PETITIONER

VERSUS

PANKAJ YADAV IAS

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Navdeep Kaur, Advocate for
Mr. Keshav Partap Singh, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG. Haryana.

AVNEESH JHINGAN, J. (Oral)

The petitioner was aggrieved of the ejectment proceedings initiated by the Block Development and Panchayat Officer, Nagina (for short 'BDPO'). During litigation, the petitioner offered to purchase the land of the Gram Panchayat on the market value. The Gram Panchayat passed resolutions dated 15.11.2008 and 02.09.2011 to sell the land under illegal possession of the petitioner at market value. The resolution was sent to BDPO to take a decision.

Aggrieved that no decision was taken, CWP No. 8267 of 2017 was filed. The writ petition was disposed of on 17.07.2017 with the direction to the BDPO to forward the case to the Deputy Commissioner, Nuh at Mewat for taking appropriate decision.

The present contempt petition has been filed pleading that the needful has not been done.

Pursuant to notice of motion, reply dated 04.10.2019 by way of affidavit of Sh. Pankaj, Deputy Commissioner, Nuh filed in Court is taken on record. A copy of the same is handed over to learned counsel for the petitioner.

Learned counsel for the respondent contends that the Deputy Commissioner forwarded the case to the Director, Development and Panchayat Department, Haryana for approval, the proposal was denied vide communication dated 27.02.2018 (annexed with the reply). He further submits that the direction of this Court has been complied with.

Learned counsel for the petitioner submits that in view of the reply filed, no cause of action survives for pursuing the present contempt petition. However, he seeks liberty to avail remedies in accordance with law against the said orders.

Disposed of with liberty as prayed for.

Rule issued against respondent is discharged.

14th October, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*