

COCN No.3510 of 2018

Date of Decision: 12.3.2019

Jagan Dev and another

.....Petitioners

Versus

Sudhir Rajpal and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Anirudh Singh Shera, Advocate, for the petitioners.

Mr. Ashish Yadav, Additional Advocate General, Haryana.

NIRMALJIT KAUR, J. (ORAL)

The present contempt petition has been filed for non-compliance of the order dated 20.9.2017, vide which, direction was issued that in case the Gram Panchayat passes a resolution in favour of the petitioners, the same shall be forwarded to Deputy Commissioner, Ambala for necessary approval.

Status report by way of affidavit of Sharandeep Kaur Brar, Deputy Commissioner, Ambala dated 10.3.2019 filed in Court is taken on record. As per the said report, the order dated 20.9.2017 was an *ex-parte* order and therefore, it could not be brought to the notice of the Court that the petitioners, who are encroachers, cannot be allotted the said land being *gair mumkin johar*. Although the resolution was passed by the Gram Panchayat, but the same was not approved by the Deputy Commissioner. Accordingly, the same has been rejected vide order dated 25.11.2014 (Annexure R-1).

In view of the above, this Court does not find any willful disobedience of the order. The present contempt petition is accordingly

dismissed.

Rule issued against the respondents stands discharged.

However, the petitioners are at liberty to challenge the order dated 25.11.2014 in accordance with law.

(NIRMALJIT KAUR)

12.3.2019
sharmila

JUDGE

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