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

**COCP No.850 of 2017
Date of Decision: 03.12.2019**

Rajbir Singh and another

Petitioners

Versus

Manphool Singh, Village Kakroli Hatti, P.O. Kakroli Sardara, Tehsil
Charkhi Dadri, District Bhiwani and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sushil Sheoran, Advocate
for the petitioners.

Mr. Sandeep S. Mann, Sr. D.A.G., Haryana.

AVNEESH JHINGAN, J (Oral):

The respondent No.1 (in the contempt petition) filed a writ petition bearing CWP No.1690 of 2016 seeking directions of delivery of possession of land said to have fallen to his share in consolidation. The writ petition was disposed of on 28.01.2016.

The operational part of the order is reproduced below:-

“5.) Suffice to observe that if the consolidation proceedings qua the petitioner's land-holding are complete and ripe for delivery of physical possession to him and if there is no other legal impediment against such delivery, respondent Nos.2 and 3 are directed to adopt lawful recourse and ensure that physical possession of their respective land-holdings is delivered to the petitioner as well as the private respondents simultaneously. However, if the private respondents have sown

crop on the land which has now fallen in the petitioner's holding, let they be allowed to harvest the crop and thereafter only the physical possession be delivered.”

The grievance of the petitioner is that in spite of the fact that consolidation proceedings are not complete, he has been dispossessed from the land and his crops were destroyed. He filed CWP No.2960 of 2017 which was dismissed as withdrawn on 16.02.2017 as time to claim compensation had not elapsed.

Learned counsel for the petitioner, after arguing at length, realizing that directions of this Court were only to the effect that physical possession be handed over to the petitioner (in the writ petition), in case consolidation proceedings were complete and there are no other legal impediments. Whereas his grievance is that the petitioner has wrongly been dispossessed, he seeks permission to avail remedies in accordance with law including approaching this Court.

The contempt petition is disposed of with liberty as prayed for.

[AVNEESH JHINGAN]
JUDGE

December 03, 2019

pankaj baweja

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No