

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCF No.985 of 2018 (O&M)
Decided on: August 19, 2019

Harinder Singh

.....Petitioner

VERSUS

Lakhwinder Singh Randhawa

..... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Ashok Kumar Sama, Advocate for the petitioner.

Mr.Kanisth Ganeriwala, AAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This contempt petition has been filed pleading wilful disobedience of the order dated 1.8.2017 passed by this Court in CWP No.16852 of 2017.

The operational part of the order is quoted below:

“Having regard to the nature of allegations made in the writ petition but without expressing any views on merits thereof, the writ petition is disposed of with a direction to the DDPO Moga to hold a fact finding enquiry into the petitioners' allegations and take necessary action as may be required in law, within a period of one month from the date of receiving a certified copy of this order.”

Pursuant to the notice of motion, reply dated 10.5.2018 by way of short affidavit of respondent Lakhwinder Singh Randhawa, District

Development and Panchayat Officer, Moga has been filed annexing the

enquiry report dated 9.8.2017 and the order of this Court passed in CWP No.13335 of 2017 dated 2.6.2017 granting status quo.

Learned counsel for the State submits that the enquiry has been completed and the Sarpanch was found to be in fault. FIR has been registered against him and administrative action has been recommended. He further submits that encroachments could not be removed as persons in possession have filed CWP No.13335 of 2017 in which status quo regarding possession has been granted by the Division Bench of this Court.

Learned counsel for the petitioner submits that in view of status quo granted, no cause of action survives for pursuing the contempt petition. He seeks liberty to file fresh contempt petition after the decision of CWP No.13335 of 2017 in case cause of action still survives.

Disposed of as infructuous with liberty aforesaid.

Rule issued against the respondent stands discharged.

August 19, 2019
Meenu

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable : *Yes/No*