

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

COCp-528-2019

Date of decision: 17.09.2019

BALBIR SINGH

.. PETITIONER

Versus

SHIV KUMAR ,TEHSILDAR AND ANR

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Ramandeep Kaur, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG. Haryana.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 02.02.2018 passed by this Court in CWP No. 2321 of 2018. The operative part of the order is reproduced below:

“The petitioner seeks a direction to Tehsildar, Safidon regarding sanction of mutation in respect of plot Nos.110 and 111, Sector 8, Safidon, developed by HUDA.

We do not want to express any opinion on merit and deem it appropriate to dispose of the writ petition with a direction to Tehsildar Safidon to take an appropriate decision in accordance with law on the Reference received from Estate Officer, HUDA, Jind vide Memo dated 06.10.2017 (Annexure P-5), within four months from the date of receipt of a certified copy of this order.”

Pursuant to notice of motion, reply by way of affidavit of Sh. Shiv Kumar, Tehsildar, Safidon District Jind, filed in Court today, 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 mutation has been entered but the same has been entered in favour of all the co-sharers and not in favour of petitioner only. She submits no cause of action survives for pursuing the contempt petition. However, she seeks liberty to avail remedies in accordance with law for redressal of the grievance.

Disposed of with liberty as prayed for.

Rule issued against the respondents is discharged.

17th September, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*