

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 728 of 2019

Date of Decision: 16.08.2019

Gurpreet Singh Dhillon

.....Petitioner

Versus

Ms.Vini Mahajan and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Umaid Singh Mann, Advocate
for the petitioner.

Mr. Amit Jhanji, Advocate
for respondent No.2.

Mr. G.S. Attariwala, Advocate
for respondent No.3.

AVNEESH JHINGAN, J.(oral)

This contempt petition has been filed pleading wilful disobedience
of order dated 29.11.2018 passed in CWP-PIL-38 of 2018.

The relevant portion of the order is quoted below:

"3. In the wake of the above, the petition is dismissed as withdrawn with liberty prayed for. This Court is sanguine that if indeed any such representations, as indicated above, are pending consideration before the respondent-authorities, the same shall be dealt with and appropriate orders, in accordance with law, shall be passed within a period of six weeks from the receipt of certified copy of this order. By way of abundant caution, we may still clarify that we have not examined the matter on merits."

On issuance of notice of motion, respondent No.3 i.e. Municipal Corporation, SAS Nagar, Mohali has filed reply annexing order dated 10.5.2019 whereby the legal notice dated 9.8.2018 has been decided. In the order it has been stated that illegal construction which has resulted in closing the common passage of a public park has been removed.

Learned counsel for the petitioner states that the petitioner is still aggrieved as windows and door have been opened towards the park by the owner of H. No. 98 and 99, Sector 71, Mohali. The grievance cannot be gone into in the present contempt petition as it is not within the ambit. The direction of the Court was to decide the representation which has been decided.

No further order is required to be passed in the contempt petition. The same is disposed of as infructuous.

However, the petitioner would be at liberty to avail remedy in accordance with law for any fresh cause of action or if aggrieved of the order passed on 10.5.2019.

Rule issued against the respondents stands discharged.

16.08.2019

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No