

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 1316 of 2019

Date of decision: 19.11.2019

Randhir Singh

.. Petitioner

v.

Shiv Kumar

.. Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rajesh Bansal, Advocate for the petitioner.
Mr. Sandeep S. Mann, Senior DAG, Haryana.

...

AVNEESH JHINGAN, J. (Oral)

The petitioner filed CWP No. 8127 of 2018 seeking a direction that partition proceedings shall be concluded in a time-bound manner. The petition was disposed of on 2.4.2018 directing the Assistant Collector IInd Grade, Safidon to make all efforts to conclude the proceedings preferably within two months from the date of receipt of certified copy of the order.

The present petition under Section 12 of the Contempt of Courts Act, 1971 has been filed pleading that proceedings have not been concluded by the respondent.

Reply is filed by the respondent, wherein it has been stated that 15 opportunities were provided to the counsel for the parties but the matter was never argued. It is only on 20.7.2018, an order was passed to prepare 'naksha B', the same was received from Halka Kanungo on 27.11.2018.

Objections to 'naksha B' were received on 1.1.2019. In spite of giving opportunities, arguments were not addressed on the objections filed. The respondent accorded approval to 'naksha B' on 16.4.2019. Further, it is stated that for these reasons that the matter could not be finalised. The respondent has also pleaded that needful will be done as early as possible.

Considering the conduct of the parties involved in partition proceedings, no case is made out for initiating contempt proceedings for wilful disobedience of the directions of this Court.

The contempt petition is dismissed.

However, there is no doubt that the respondent shall conclude the partition proceedings with the co-operation of the parties as early as possible.

(AVNEESH JHINGAN)
JUDGE

19.11.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No