

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 2784 of 2019

Date of Decision: 21.08.2019

Harpal Singh

.....Petitioner

Versus

Dinesh Bassi and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.S. Thind, Advocate
for the petitioner.

AVNEESH JHINGAN, J.(oral)

This contempt petition has been filed pleading wilful disobedience of order dated 27.9.2018 passed in CWP No. 24850 of 2018.

The petitioner was allotted a plot as his land was acquired. Subsequently, notice was issued to the petitioner for cancellation of the allotment. The petitioner responded to the notices by issuing a legal notice dated 1.2.2012. Aggrieved of the fact that no decision was taken on the legal notice, writ petition was filed. The writ petition was disposed of vide order dated 27.9.2018. Relevant portion is quoted below:

"The writ petition is accordingly disposed of firstly with a direction to the Chairman, Improvement Trust, Amritsar, to consider the claim of the petitioner as contained in the legal notice dated 01.02.2012 and if it is found that the petitioner is eligible for allotment of plot or that it was allegedly allotted, let a reference be made to the State Government who shall then decide the petitioner's claim by way of a reasoned order. The entire exercise be completed within a period of six months from the date of receiving a certified copy of this order."

The directions were to the Chairman, Improvement Trust, Amritsar to consider the claim of the petitioner in the legal notice dated 1.2.2012 and in case he was found eligible for allotment of plot than references was to be made to the Government.

The legal notice was decided and said order has been annexed with the contempt petition as Annexure P-10, whereby the claim of the petitioner was rejected.

Learned counsel for the petitioner states that while deciding the legal notice the Chairman, Improvement Trust, Amritsar has not considered the matter in proper perspective.

The grievance raised by the petitioner does not fall within the ambit of present contempt petition. The direction of this court was to consider the claim of the petitioner in the legal notice dated 1.2.2012. The same has been considered and decided.

It would be appropriate to mention at this stage that the issue with regard to allotment of plot is also subject matter of litigation for which civil suit is pending.

No case is made out for contempt.

The contempt petition is dismissed.

Needless to say that the petitioner would be at liberty to avail remedy in accordance with law against the order passed by the Chairman, Improvement Trust, Amritsar.

21.08.2019
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No