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

COCP-849-2017 (O&M)

Date of Decision: March 26, 2019

Balwinder Singh @ Palwinder Singh and another

.....Petitioners

Versus

Manminder Singh

.....Respondent

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.O.S.Batalvi, Advocate for the petitioners.

Mr.P.S.Bajwa, Addl.AG, Punjab.

.....

NIRMALJIT KAUR, J. (ORAL)

CM-7896-CII-2017

Application is allowed as prayed for.

COCP-849-2017

The contempt is filed on the ground that respondent-Manminder Siingh, PPS, Senior Superintendent of Police, Police District Batala, District Gurdaspur, has given a wrong affidavit that the accused has stopped operating the brick-kiln. A perusal of the order passed by this Court shows that while disposing of the petition, the Court took note of the said fact and came to the conclusion that the petitioners proceeded with the civil suit which was stated to be pending. Admittedly, the civil suit has since been withdrawn by the petitioners allegedly on an undertaking given by a private respondent.

In these circumstances, the present contempt petition against respondent-Manminder Singh, PPS, Senior Superintendent of Police, who is stated to have died is not maintainable and in any case, no contempt is made

out against him. The private respondents are not party to the COCP.

Accordingly, the contempt petition is dismissed.

However, petitioners are at liberty to avail the remedy against the private respondent if so made out from the alleged undertaking given by him before the Civil Court.

March 26, 2019
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(NIRMALJIT KAUR)
JUDGE

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|---------------------------------------|---------------|
| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |