

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

(202)

COCP-1265-2020

Date of Decision: September 14, 2020

Mahant Bhagwan Dass**.. Petitioner****Versus****Vipul Ujwal and others****.. Respondents****(Through video conferencing)****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Gagandeep Singh Sirphiki, Advocate, for the petitioner.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

Mr. Anandeshwar Gautam, Advocate, for respondent No.5.

HARSIMRAN SINGH SETHI, J.(ORAL)

Status report by way of short affidavit of Mr. Navkirat Singh Randhawa, Tehsil Dera Baba Nanak, District Gurdaspur as well as short reply by way of an affidavit of Mr. Manpreet Singh Chattwal, Director, Rural Development and Panchayat, Punjab, has been filed by learned State counsel and the same are taken on record.

Learned counsel for the respondent-State submits that the grievance of the petitioner as raised in the present contempt petition, has been re-addressed and the details of the same have already been mentioned in the reply/affidavit filed today. Learned counsel for the respondent-State further submits that though, it might not be necessary for the determination of the controversy in the present contempt petition but as the disputed site is in *Gair Mumkin Chappar* and the same vest in the gram panchayat, appropriate proceedings by serving a notice under Section 7 of the Punjab

Village Common Land Act, 1961 have been initiated. Learned counsel for the respondent-State further submits that the concerned authorities undertakes to comply with the order dated 27.02.2020 in letter and spirit and will not allow any further constructions on the land in question.

Learned counsel appearing on behalf of respondent No.5 submits that they have the highest regard for the orders passed by this Court and cannot even imagine to violate the same and any violation, as being alleged, was totally unintentional and not willfull and the same has already been reviewed and removed by the authorities, therefore, the present proceedings being initiated against respondent No.5 be closed. Learned counsel for respondent No.5 further submits that no further construction whatsoever will be done on the disputed site keeping in view the order dated 27.02.2020.

Learned counsel for the petitioner submits that keeping in view the status report/reply filed on behalf of the respondents and the remedial measure already taken as well as undertaking recorded above on behalf of the respondents to comply with the order passed by this Court dated 27.02.2020 in its letter and spirit, the petitioner does not wish to press this petition any further, at this stage.

Disposed of as having been not pressed.

(HARSIMRAN SINGH SETHI)
JUDGE

September 14, 2020
harsha/naresh.k

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