

COCN No.1063 of 2021

Date of Decision : 11.05.2021

Gram Panchayat Village Arno Khurd

...Petitioner

Versus

Kashmir Singh and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Ms. Amarjit Kaur, Advocate for the petitioner.
*****B.S. Walia, J. (VC)**

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the instant petition is for initiating action against the respondents for intentional and willful defiance of orders dated 13.07.2020 in CWP No. 9678 of 2020.
3. Heard. Learned counsel for the petitioner concedes that the respondents were allowed to continue in the land in question despite their not depositing the lease amount for said lands and further that in the circumstances, the petitioner could have proceeded with the auction, but states that the auction could not be conducted on account of stay granted in CWP No.16323 of 2020.
4. On hearing learned counsel, no case is made out for initiating contempt proceedings for alleged violation of orders dated 13.07.2020 in CWP No. 9678 of 2020 for despite non-deposit of the lease money, the petitioner permitted the respondents to continue in the land in question.
5. Faced with the aforementioned position, learned counsel for the petitioner prays for liberty to take out appropriate proceedings, in accordance

with law against the respondents for recovery of the lease amount for the lands in question, for recovering possession from them, as well as for modification of orders dated 27.10.2020 in CWP No.16323 of 2020 so as to conduct auction.

6. In the light of the position as noted above, no case is made out for initiating contempt proceedings. Accordingly, the contempt petition is dismissed. However, liberty, as prayed for is granted to the petitioner.

(B.S. Walia)
Judge

11.05.2021
'Rajneesh/Amit'

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