

[114] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.570 of 2021

Date of Decision : 21.03.2022

Preeti ...Petitioner

versus

Varinder Kumar Sharma, IAS,
Deputy Commissioner, LudhianaRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Bharat Julka, Advocate for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Sections 10 & 12 of the Contempt of Courts Act, 1971 is for initiating proceedings against the respondent for intentional and willful defiance of order (Annexure P-1) dated 02.12.2020 in CRM-M No.36631 of 2020 in case titled as 'Preeti versus State of Punjab and others'.

[2] A perusal of order (Annexure P-1) reveals that CRM-M No.36631 of 2020 was filed for issuance of directions to official respondent Nos.2 to 5 for cancellation of sale deeds i.e. *Vasika No.14401* dated 15.02.2008, *Vasika No.14403* of 15.02.2008 and *Vasika No.9355* dated 19.04.2010, alleged to have been executed in gross violation of the order / judgment of the Hon'ble Court.

[3] The aforementioned petition was disposed of by directing the Deputy Commissioner, Ludhiana to look into representation dated 22.10.2020 filed by the petitioner and take appropriate steps / action if

[4] Learned counsel for the petitioner contends that the instant petition was filed on account of failure of the respondent to do the needful.

[5] Reply has been filed by Shri Varinder Kumar Sharma, IAS, Deputy Commissioner, Ludhiana alongwith order (Annexure R-1), deciding the representation in the light of the report of the Sub Divisional Magistrate, Ludhiana (East) by recording therein that no *khasra* numbers were mentioned in the sale deeds cancellation of which was sought and due to non-mention of *khata* / *khasra* numbers in the sale deeds, ownership had not been recorded in the revenue record, while prayer for setting aside sale deed *Vasika No.9355* dated 19.04.2010 did not pertain to the petitioner and that in the circumstances, the petitioner could seek redress of his grievance before the Civil Court under the Specific Relief Act.

[6] Learned AAG, Punjab, contends that the representation having been decided it is up to the petitioner to invoke appropriate remedy before a Civil Court for seeking cancellation of the sale deeds by leading evidence in respect thereto in accordance with law.

[7] Faced with the aforementioned situation, learned counsel for the petitioner states that the petitioner is not interested in pursuing the instant petition and the same may be disposed of as such, while granting liberty to the petitioner to invoke appropriate remedy in accordance with law to seek cancellation of the sale deeds i.e. *Vasika No.14401* of 15.02.2008, *Vasika No.14403* of 15.02.2008 and *Vasika No.9355* dated

[8] In view of the position noted above, as well as statement of learned counsel for the petitioner, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971, while granting liberty to the petitioner, as prayed for.

(B.S. Walia)
Judge

21.03.2022
'Rajneesh'

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