

KARTAR SINGH AND ANOTHER

...Petitioners

versus

SHISH PAL SINGLA

....Respondent

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

Present : Mr. Manu Loona, Advocate for the petitioners.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P/5 dated 07.04.2022 in CR No.1286 of 2022 as well as order, Annexure P/3 dated 29.03.2022 passed by the learned Civil Judge (Sr. Div.), Fazilka.

[2] Learned counsel for the petitioners concedes that admittedly there is no violation of order, Annexure P/5 dated 07.04.2022 in CR No.1286 of 2022, whereas as regard order, Annexure P/3, learned counsel contends that the same is an order passed by the Court of the learned Civil Judge (Sr. Div.), Fazilka on 29.03.2022 for attachment of the land transferred by the defendant Hukan Chand in favour of his son Varun Jossan during the pendency of the present case. Learned counsel contends that instead of complying with the order of the learned Civil Judge (Sr. Div.), the respondent vide order, Annexure P/6 gave a false report dated 04.05.2022 of orders received from the office of the Deputy Commissioner having been stayed by this Court, therefore, the respondent is liable to be punished under the Contempt of Courts Act, 1971 for

intentional and willful defiance of order, Annexure P/3 dated 29.03.2022 passed by the learned Civil Judge (Sr. Div.), Fazilka.

[3] After arguing for some time, learned counsel for the petitioners prays for permission to take out appropriate proceedings against the respondent before the competent Court for making false statement and for not attaching the land pursuant to the orders passed by the learned Civil Judge (Sr. Div.), Fazilka.

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

(B.S. Walia)
Judge

29.11.2022
'Amit'

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