

COCP-1984-2021

Date of Decision : 25.01.2022

Harjit Kaur

...Petitioner

versus

K. Makrand Pandurang, IAS and others

....Respondents

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

Present : Mr. H.P.S. Ishar, 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 petition under Article 215 of the Constitution of India read with Section 12 of the Contempt of Courts Act, 1971, is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/1 dated 28.04.2021, in CWP-PIL-77-2021.

3. Learned counsel contends that despite order dated 28.04.2021, in CWP-PIL-77-2021, that no local body, agency, instrumentality of the State would evict or carry out demolition of any property, over which, any person had physical or symbolic possession as on 30.06.2021, the petitioner who was in physical possession of the property in question as on said date was dispossessed therefrom by affixing seal by respondent No.2 on 18.08.2021. Learned counsel contends that after the filing of the contempt petition, the respondents have realized their mistake, consequentially, have removed the seal

affixed by respondent No.2 on the property of the petitioner, therefore, the

petitioner is not interested in pursuing the instant petition, consequentially, the same may be disposed of as such while granting liberty to the petitioner to challenge notice/order Annexure P/11 dated 02.08.2021, issued under Section 12(2) of the Punjab New Capital (Periphery) Controlled Act, 1952 by way of appropriate proceedings in accordance with law.

4. In view of the seal affixed on the property of the petitioner having been removed, as well as statement of learned counsel for the petitioner, the instant petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971 while granting liberty to the petitioner to challenge order/notice Annexure P/11 dated 02.08.2021, by way of appropriate proceedings, in accordance with law.

(B.S. Walia)
Judge

25.01.2022
rajesh

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