

COCp-2024-2022

Date of Decision :22.09.2022

THE PATTI MAJHA TRUCK OPERATOR SOCIETYPetitioner

Versus

HEMANT KUMAR JAIN AND ORS

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. J.S. Arora, Advocate for the petitioner.
Mr. K.K. Gupta, Advocate for the respondents.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/2, dated 06.08.2022 in CWP No.17047 of 2022.

[2] A perusal of order, Annexure P/2 reveals that while issuing notice of motion in CWP No.17047 of 2022 for 16.08.2022 it was ordered that in the meantime, till the next date of hearing, the respondents would not create 3rd party interest.

[3] Learned counsel for the petitioner contends that the grievance of the petitioner in the instant petition is of the respondents having initiated the process for creating third party interest.

[4] Notice has yet not been issued in the instant case. However, Mr. K.K. Gupta, Advocate puts in appearance on behalf of the respondents and states that no third party interest has been created till date and that in the circumstances, the instant petition is premature.

[5] Statement of Mr. K.K. Gupta, Advocate for the respondents is taken on record.

[6] Accordingly, the contempt petition is disposed of as pre-mature while granting liberty to the petitioner to take recourse to the remedy available to it in accordance with law in the eventuality of violation of order, Annexure P/2 in CWP No.17047 of 2022.

(B.S. Walia)
Judge

22.09.2022
'Amit'

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