

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

COCp-2482-2021

Date of Decision : 28.02.2022

Bal Kishan Malik ...Petitioner

versus

Pardeep Dahiya, Deputy CommissionerRespondent

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

Present : Mr. Kuldeep Khandelwal, Advocate for the petitioner.
Mr. Pawan Longia, DAG, Haryana.

B.S. Walia, J.

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Learned DAG contends that the instant petition is not maintainable as order (Annexure P-7) was passed by the authority under the Public Premises and Land (Eviction and Rent Recovery) Act, 1972 on a petition filed by the Municipal Council, District Kaithal, evicting Pala Ram Saini and Parem Chand Jain from the land in question and directing them to hand over possession of the same to the Municipal Council, Kaithal, failing which Municipal Council, Kaithal was given liberty to take possession of the land as per law and that in the circumstances, grievance of the petitioner if any is against the inaction of Municipal Council, Kaithal and not the Deputy Commissioner in view of orders (Annexure P-3) dated 28.01.2020 in COCP No.789 of 2019.

[3] Faced with the aforementioned position, learned counsel for the petitioner prays for permission to withdraw the instant petition with

liberty to take out appropriate proceedings in accordance with law to seek

redress of his grievance by requiring the Municipal Council, Kaithal to take out appropriate proceedings in accordance with law to seek possession of the land from Pala Ram Saini and Parem Chand Jain in terms of orders, Annexure P-7.

[4] In view of the position noted above, as well as statement of learned counsel for the petitioner, no action is called for against the Deputy Commissioner, Kaithal under the Contempt of Courts Act, 1971. Accordingly, the contempt petition is *disposed of* as such while grating liberty to the petitioner as prayed for.

(B.S. Walia)
Judge

28.02.2022
'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>