

GURBHEJ SINGH AND ANR

...Petitioners

Versus

VINNI MAHAJAN AND ORS

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. C.M. Munjal, Advocate for the petitioners.
Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiation of proceedings against the respondents for intentional and willful defiance of order, Annexure P/1, dated 06.03.2019 in CWP No.20477 of 2018 in case titled as Gurbhej Singh and another vs. State of Punjab and Ors.

[2] A perusal of order (Annexure P/1) reveals that CWP No.20477 of 2018 was disposed of vide order dated 06.03.2019 by directing the official respondents to look into the grievance of the petitioners as contained in the representations filed by them as expeditiously as possible.

[3] Learned counsel for the petitioners contends that the grievance of the petitioners in the representation was with regard to mining activity going on unchecked resulting in possible serious damage to their farm lands in the vicinity.

[4] Learned AAG refers to reply as also order, Annexure R/6 dated 13.01.2020 and on the basis of same contends that although it was

allotted mine had been damaged as a result of mining activity but no damage had been caused to the lands of the petitioners, besides, penalty of Rs.1,98,000/- for the damages done had already been recovered by the Mining Department from the contractor and further the contractor had been ordered to restore and repair the damage done during the mining activity carried out by him.

[5] Learned counsel for the petitioners states that in view of the contractor having carried out mining without leaving required distance of 25 feet from the fields of the petitioners, besides, having carried out mining activity beyond depth of 10 feet as permissible, there are chances of damage being suffered to the lands of the petitioners, therefore, although he does not press the instant petition but prays for liberty to challenge order Annexure R/6 dated 13.01.2020 by way of appropriate proceedings in accordance with law to seek compensation.

[6] The same is not opposed to by the learned AAG.

[7] In view of the position noted above but without commenting upon the merits of the case, the contempt 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 petitioners as prayed for in accordance with law.

(B.S. Walia)
Judge

08.09.2022

'Amit'

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