2023:PHHC:154599

**207(2) IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

COCP No.2911 of 2017 (O&M)
Date of Decision: 04.12.2023

S.K.S. Bedi .....Petitioner

Versus

Mandeep Singh Brar and others .....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present: Petitioner in person.

Mr. Pawan Kumar Longia, DAG, Haryana.

Mr. Abhishek Goel, Advocate for
Mr. Pritam Singh Saini, Advocate for respondent No.3.

**RAJBIR SEHRAWAT, J. (ORAL)**

This is a contempt petition filed under Article 215 of the Constitution of India read with Section 12 of the Contempt of Courts Act, for disobeying the directions issued by this Court vide order dated 04.10.2008 passed in CWP-4886-2003 and vide order dated 11.12.2008 passed in CWP-17664-2005.

Learned counsel for the respondents has produced the order dated 27.02.2023 in connected petition i.e. COCP No.3228 of 2016, passed by a co-ordinate Bench of this Court whereby the similar contempt petition has been dismissed in view of directions having been issued by that Court. Moreover, the contempt petition is not the appropriate remedy for ascertaining whether there is any encroachment upon a public passage or not. If the petitioner is aggrieved of any specific instance of encroachment by any person upon the public road, the petitioner would be at liberty to take appropriate proceedings under the relevant provisions of the concerned Municipal Act.

In view of the above, the present petition is rendered as infructuous and dismissed as such.

The pending miscellaneous application, if any, is also disposed of as such.

**(RAJBIR SEHRAWAT)**
**JUDGE**

**04.12.2023**

*sandeep*

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No

SANDEEP GROVER
2023.12.06 09:02
I attest to the accuracy and
integrity of this order/judgment.