

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-883 of 2006 in
CWP-3903 of 2005
Date of Decision:16.12.2023

Kiran Bala

... Petitioner

Versus

Lalit Sharma and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Rajiv Kataria, Advocate,
for the petitioner.

Mr. Ashish Rawal, Advocate,
for respondents No.1 and 2.

Mr. Gaurav Mohunta, Advocate,
for respondent No.3.

SUDEEPTI SHARMA, J.

1. The present contempt petition has been filed for willful disobedience and violation of the order dated 11.03.2005 (Annexure P-5) passed in CWP No.3903 of 2005 by a co-ordinate Bench of this Court.

2. In the reply filed by the respondents in the preliminary objections, the following stand has been taken:-

“That the petitioner has no locus standi to file the present Contempt Petition in Civil Writ Petition No.3903 of 2005 for the alleged disobedience of the order dated 11.03.2005 (Annexure P-5) as the said Order being the “order in personum” and the present petitioner

being not party to the said writ petition, has no locus standi to file the present contempt petition. Even otherwise, the Chandigarh Admn. is maintaining the interim order dated 11.03.2005 between the parties to the said writ petition. The petitioner has been dis-possessed from the un-authorised occupation from that part of the land which was under her un-authorised possession and that too on the dismissal of her own Civil Writ Petition No.10589 of 2004 vide order dated 24.04.2006 (Annexure P-7) and the consequent vacation of the interim order passed in her own said writ petition. The present contempt petition, therefore, deserves to be dismissed with exemplary costs as the same is nothing else but a mis-sue of the process of law.”

3. In view of the stand taken by the respondents and after perusing order dated 24.04.2006 (Annexure P-7) annexed with the present contempt petition, the present contempt petition is dismissed. Rule is discharged.
4. Pending applications, if any, also stand disposed of.

(SURESHWAR THAKUR)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

December 16, 2023
dinesh

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