

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-2376-2022 (O&M)
Date of decision: 18.01.2023

Kewal Masih @ Kewal Gill

...Petitioner

Versus

Dharma Masih

...Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.S. Chauhan, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J.

The petitioner alleges violation of the order dated 02.08.2012,
vide which following observations were made: -

“In view of the aforesaid discussion, the instant revision petition is allowed partly. Impugned order (Annexure P-7) of the Executing Court is set aside to the extent of directing the JDs to pay ₹20/- per day to the DHs from the date of application i.e. 20.02.2004 till compliance of the decree. However, impugned order regarding attachment of property of the JDs is upheld. JDs are directed to surrender possession of the encroached portion

as per report (Annexure P-5) and site plan (Annexure P-6) made by the Local Commissioner within one month to the DHs.”

Admittedly, the direction is issued just to be complied with by the executing Court, therefore, this contempt petition is not maintainable.

Faced with the above, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to the petitioner to avail the alternative remedy before the executing Court, in accordance with law.

Dismissed as withdrawn with liberty aforesaid.

[ARVIND SINGH SANGWAN]
JUDGE

18.01.2023
vishnu

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