

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP-2740-2023 (O&M)
Date of decision: 11.09.2023

Kashmir Gir

... Petitioner

Vs.

Swati Tiwana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Shivya Sehgal, Advocate
for the petitioner.

Mr. Pankaj Bali, Advocate
for the respondents.

ARVIND SINGH SANGWAN, J. (ORAL)

While issuing notice of motion, following order was passed on
05.09.2023: -

“Learned counsel for the petitioner submits that in civil suit Nos.337 of 1982 and 332 of 1984 and judgment dated 22.10.2018, passed in RSA-816-1988, it has come in paragraph No. 8 that in Khasra No. 2293, measuring 3 Kanals 4 Marlas, there is a temple in existence and counsel for the Municipal Committee had made a statement that they do not claim anything with regard to this Khasra number.

Learned counsel refers to order dated 22.10.2018, passed in aforesaid RSA, wherein again, this fact was noticed by the Court that Municipal Committee has acknowledged that there is a

temple in Khasra No.2293 and it does not belong to Municipal Committee.

Learned counsel further submits that despite the aforesaid facts, the respondents are trying to demolish the temple and more than once, they have brought JCB at the spot.

Notice of motion for 11.09.2023.

To be show in the Urgent List.

Process dasti as well.”

Learned counsel for the respondents has filed reply by way of affidavit of Executive Officer, Municipal Committee, Khanna in the Court today and in its para No.1, it is stated that the respondents or any official of the Municipal Committee has never visited khasra No.2293 on 02.09.2023, as stated in the contempt petition, therefore, the respondents have neither disobeyed any order of the Court nor will not disobey in future.

In view of the undertaking given by the respondents, present petition is rendered as infructuous, with liberty to revive the same, if so required.

[ARVIND SINGH SANGWAN]
JUDGE

11.09.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No