

2023:PHHC:144960
COC-3491-2023
Date of Decision: 15.11.2023

Parbati Devi and others

...Petitioners

Vs.

Krishan Lal

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Sumeet Singh Brar, Advocate for the petitioners.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioners have filed this contempt petition alleging non-compliance of order dated 19.10.2023, passed by the learned Civil Judge, Junior Division, Fazilka, on an application under Order 39 Rules 1 and 2 CPC.
2. The contempt as envisaged under the Contempt of Courts Act, 1971, can be exercised where an order of the High Court has been flouted or where there is a reference made by the trial Court regarding non-compliance/disobedience of the order.
3. The petitioners without availing the remedy under Order 39 Rule 2-A of the CPC as provided against the order passed on application under Order 39 Rules 1 and 2, has filed the contempt petition which is in gross abuse of the process of law.
4. The contempt petition is wholly misconceived and is accordingly dismissed with costs of Rs.5,000/- to be deposited with the High Court Legal Services Authority.

**(SANJEEV PRAKASH SHARMA)
JUDGE**

15.11.2023.

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| 1. Whether speaking/reasoned? | : | Yes/No |
| 2. Whether reportable? | : | Yes/No |