

COCN No.1138 of 2018 (O&M)
Date of Decision: 02.05.2024

BALBIR SINGH

.....Petitioner

Versus

SATISH KUMAR

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Vineet Chaudhary, Advocate for the petitioner.

None for the respondent.

RAJBIR SEHRAWAT, J. (ORAL)

CM-2011-CII-2020

Allowed, as prayed for.

Additional affidavit of the petitioner and Annexures A-1 to A-5
are taken on record, subject to all just exceptions.

Main Case

1. This is a contempt petition filed under Sections 11 and 12 of the Contempt of Courts Act, for initiating contempt proceedings against the respondent for violating the order dated 11.08.2010 passed in CR-6737-2007.
2. It is not even in dispute that the vacant possession of the house in question has already been handed over by the respondent to the petitioner, pursuant to order passed by this Court.
3. Although, learned counsel for the petitioner has submitted that the respondent is in arrears of rent and electricity bills for the last number of years, however, the contempt proceedings would not be appropriate forum for adjudication upon the dispute regarding recovery of rent and electricity bills.

4. In view of the above, the present petition is dismissed.

5. However, the petitioner would be at liberty to avail any alternate remedy, but in accordance with law, for recovery of any dues, to which the petitioner claims to be entitled.

CM-2010-CII-2020

This is an application for bringing on record the LR's of deceased petitioner-Balbir Singh.

Since, the main case itself is being dismissed today, therefore, the present application has been rendered infructuous and is disposed of as such.

(RAJBIR SEHRAWAT)
JUDGE

02.05.2024
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No