

2024:PHHC:051642

107IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.953 of 2024 (O&M)
Date of Decision: 18.04.2024

TEHAL SINGH AND ANOTHER.....Petitioners

Versus

HARPREET SINGH SUDAN AND OTHERS.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. G.S. Sandhu, Advocate for the petitioners.

RAJBIR SEHRAWAT, J. (ORAL)

1. This is a contempt petition filed under Sections 10 and 12 of the Contempt of Courts Act, for initiating contempt proceedings against the respondents for disobedience of order dated 04.10.2008 passed in CWP-4886-2003.
2. The facts and circumstances involved in the case and the order qua which the contempt is alleged are such, for determination of violation of which, a lot of disputed question of facts are required to be adjudicated upon. However, adjudicating upon the disputed question of facts is not within the scope of the contempt jurisdiction. Hence, this Court does not find it appropriate to continue with the present petition any more.
3. Dismissed.
4. However, the petitioners would be at liberty to raise the issue of encroachments, if any, before the statutory Municipal Authorities by availing statutory remedy.

18.04.2024
sandeep

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No