

2024:PHHC:057344

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

110 **COCP-1425-2024**
Date of decision: 26.04.2024

SURAJ BHAN ...Petitioner

Versus

T.V.S.N. PRASAD AND ORS ...Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Rajesh Khandelwal, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (Oral)

1. This is a contempt petition filed under Sections 11 and 12 of the Contempt of Courts Act, 1971, read with Article 215 of the Constitution of India, for punishing the respondents for disobeying the orders dated 03.07.2014 and 20.04.2016 passed in CWP-12571-2014 and dated 01.10.2020 passed in CWP-14662-2020 and dated 10.07.2020 passed in CWP-9621-2020.

2. Perusal of the orders qua which the contempt is asserted, shows that the Court has only stayed the operation of a particular rule, which was framed by the Government at the relevant time, and has clarified that in future, the auction of the land would be conducted only pursuant to another existing rule. Therefore, if any authority of the Gram Panchayat passes an illegal order ignoring the existing rules, that order, would, at the best, be illegal in nature, which can be challenged in the appropriate proceedings. However, in absence of a specific finding by a Court holding such a particular action to be illegal, and accompanied by further directions, no contempt petition would be maintainable. Hence, the present petition is dismissed.

3. However, the petitioner would be at liberty to challenge the validity of the lease in question before the appropriate authority to seek a specific direction qua the same.

26.04.2024
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No