



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCN No. 2272 of 2024 (O&M)
Date of Decision: 14.08.2024

Balbir Singh @ Balbir

..... Petitioner

Versus

Mahipal, Sarpanch son of Mange Ram, resident of
Village Assan Khurd, Tehsil Matlauda, District Panipat
and others

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Govind Chauhan, Advocate
for the petitioner.

Mr. A.D.S. Sukhija, Advocate
for respondent No. 1.

Mr. Pawan Kumar Longia, Deputy Advocate General, Haryana
for respondent Nos. 2 & 3.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition, seeks initiation of contempt proceedings against the respondents, alleging willful disobedience of the order dated 01.07.2024 (**Annexure P-1**) passed by the Division Bench in CWP No. 14694 of 2024, the operative part thereof is extracted hereunder:-

“ Keeping in view the facts and circumstances as above and especially the stand of parties, it is directed that the matter pending before Divisional Commissioner, Karnal Division, Karnal, be decided on 18.07.2024 and if for some reason, the same is not possible, it be decided within the next two weeks. Till then, status quo as on today be maintained by the parties. ”

[2] Learned counsel for the petitioner, while relying upon para-24 of the present petition, submits that after passing of the aforesaid order dated 01.07.2024, whereby the parties were directed to maintain *status quo*, . Respondent Nos. 2 & 3 at the behest of respondent No. 1 violated the same by visiting the spot on 09.07.2024 and obstructed the petitioner from cultivating the land, besides respondent No. 2 serving a notice dated 09.07.2024 upon him under Section 168 of Bharatiya Nagarik Suraksha Sanhita, 2023, for preventing cognizable offence. Learned counsel, thus, submits that the respondents acted in violation of the status quo order granted by this Court on 01.07.2024.

[3] In response, learned counsel for respondent No. 1 submits that the appeal filed at the instance of petitioner which was pending before the Divisional Commissioner, Karnal Division, Karnal stands adjudicated upon vide order dated 07.08.2024. In addition, learned counsel, while referring to para-5 of the order dated 01.07.2024 submits that a specific contention was raised as regards the possession of the suit property with the Gram Panchayat and thus, in such circumstances, there was no violation of even the *status quo* order passed by this Court.

[4] I have gone through the records of the present petition.

[5] Apparently, there is no willful dis-obedience of the aforesaid order dated 01.07.2024 (Annexure P-1) passed by the Hon'ble Division Bench. The appeal already stands disposed off by the Divisional Commissioner, Karnal Division, Karnal. Even, if the contents stated in para-24 of the present petition are to be taken at face value, mere visiting the spot or even issuance of a notice would not amount to any interference with the

cause of justice or disobedience towards the order dated 01.07.2024
(Annexure P-1) passed by this Court.

[6] In such circumstances, finding no merit in the present
contempt petition, the same is hereby **dismissed**.

August 14, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No