

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

-.-

CM 1061-CII-2024 in/and COCP 2321-2021

Mandir Mata Sita Ji

.....*Petitioner*

vs

Nishant Kumar Yadav, IAS

.....*Respondent*

Coram: Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. R D Baswa, Advocate for the applicant/petitioner
Mr. Pawan Kumar Longia, DAG, Haryana
MR. Kulwant Singh, Advocate for respondent No. 2

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Rajbir Sehrawat, J. (Oral)

CM 1061-CII-2023

Prayer in this application, filed under Section 151 of the Code of Civil Procedure, is for placing on record the short counter affidavit.

For the reasons mentioned in the application, the same is allowed and the short counter affidavit of Mahant Abhinav Dass, successor of Mahant Bashesar Dass Chela Prem Dass Mahant of Mandir Sita Mai, is taken on record.

Main case

The present petition has been filed under Section 12 of the Contempt of Courts Act, 1971 for initiating contempt proceedings against the respondents having intentionally, deliberately and willfully disobeyed order dated 29.06.2021 passed by this Court in CWP 10726-2021.

Counsel for the State has submitted that the rooms have been reconstructed, therefore, this petition does not survive any more. On the

other hand, counsel for the petitioner has submitted that the respondents have not constructed all the rooms, which were demolished by them.

Keeping in view the facts that there was no specific directions in the writ petition to construct any particular numbers of rooms, this Court does not find it appropriate to proceed further in contempt jurisdiction qua entitlement of the petitioner or liability of the respondents. Hence, the present petition is dismissed.

However, if any grievance of the petitioner is left un-addressed, the petitioner would be at liberty to avail any other alternate remedy, but in accordance with law.

(Rajbir Sehrawat)
Judge

30.01.2024
mohan bimbura

Whether reasoned/speaking:	Yes/No
Whether reportable	Yes/No