



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COC-157-2021 (O&M)

Date of Decision: May 21, 2026

Jasbir Singh Dhammi and anr.

.....Petitioners

Vs.

Ajay Kumar Sinha, IAS and ors.

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Pawan Kumar, Sr. Advocate assisted by
Ms. Vidushi Kumar, Advocate
for the petitioners.

Mr. Ravneet Singh Joshi, DAG, Punjab.

Mr. Jatinder Singla, Advocate
for respondent Nos. 8 to 12.

SUDEEPTI SHARMA J. (Oral)

1. The present contempt petition has been filed for non-compliance of order dated 15.07.2020 passed by Division Bench of this Court in CWP-9885-2020. The relevant portion of the same is reproduced as under:-

*“Accordingly, in order to protect the village ponds,
following mandatory directions are issued:-*

*(i) The State of Punjab is directed to remove all the encroachments
and unauthorised constructions raised on the village ponds within a
period of six months from today, strictly in accordance with law.*

*(ii) The Punjab Pollution Control Board is directed to monitor quality of
water of the village ponds. The Deputy Commissioners throughout the
State of Punjab are directed to ensure that no untreated
sewerage/sewage is let off in the village ponds.*

*(iii) The State of Punjab shall ensure that all the village ponds are
revived, repaired, renovated, rejuvenated after restoration within a
period of six months from today. The State is further directed to upgrade*



the revenue record of all the village ponds in the State of Punjab within a period of six months from today.

(iv) The mining activity of any nature whatsoever in the village ponds throughout the State of Punjab is banned. Stringent action be taken against the defaulters.

The writ petition stands disposed of.”

2. In compliance of the above referred to order, learned State counsel has referred to affidavit dated 22.09.2021 on behalf of respondent No. 3 to contend that order dated 15.07.2020 has already been complied with. The relevant portion of the affidavit dated 22.09.2021 reads as under:-

“4. That Petitioner No.1's application was inquired upon and it was found that about the land measuring 25 Kanal 10 Marlas which is mentioned in the application, there was a dispute between Petitioner No.1 and others vs. Respondent No.10 and 11 and others in Civil Court Civil Suit No CNR PBBR 02-000730-2013 titled Gurmel Singh etc Vs Harnek Singh etc. The said suit was filed seeking permanent injunction claiming that the suit land measuring 25 Kanal 10 Marla is a gairmumkin chappar and the same vests in Nagar Council Bhadaur. The said suit was dismissed by Shri Rajinder Singh Nagpal, PCS, Civil Judge, Junior Division, Barnala. The said court has observed that

"From all this it is clear that the plaintiffs have failed to establish on record that the suit land is a Gairmumkin Chappar. Rather from the evidence it is clear that the defendants No 1 to 5 are owners in possession of the said land. Accordingly, no injunction can be granted in favor of



the plaintiffs. Accordingly, the issue No 1 is decided against the plaintiffs and in favor of the defendants".

This suit was dismissed vide judgment dated 29-11-2019 delivered by Shri Rajinder Singh Nagpal then Civil Judge (Junior Division) Barnala. The copy of judgment dated 29-11-2019 is annexed as Annexure R-2. The petitioner no.1 and others challenged the above said judgment and decree dated 29-11-2019 by filling a Civil Appeal i.e C A No 05/2020 titled as Gurmel Singh etc Vs Harnek Singh and the same is pending.

5. That thus at this stage in view of the finding recorded in the judgment and decree dated 29.11.2019, Petitioner No.1 has failed to establish on record that the suit land is gairmumkin Chappar and could not establish that the defendants are not the owners in possession of the said land."

3. A perusal of the above referred to affidavit dated 22.09.2021 shows that order dated 15.07.2020 passed by Division Bench of this Court in CWP-9885-2020 has been duly complied with.

4. Accordingly, the contempt is purged. Rule is *discharged*.

5. Pending application (s) if any also stands disposed of.

May 21, 2026

Gaurav Arora

Whether speaking/non-speaking
Whether reportable

(SUDEEPTI SHARMA)
JUDGE

: Yes/No
: Yes/No