



COCP-2689-2019 (O&M)

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

**COCP-2689-2019 (O&M)
Date of Decision: August 06, 2025**

Avtar Singh Mahal and anr.Petitioners

Vs.

Sanjay Mitra and ors.Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Nilesh Bhardwaj, Mr. Shakti Bhardwaj, Advocates
for the petitioners.

Mr. Vinod Kumar, Advocate for
Mr. S.P. Jain, Sr. Panel Counsel and Mr. Sunil Sharma, Advocates
for the respondents.

SUDEEPTI SHARMA J. (Oral)

1. The present contempt petition has been filed for non-compliance of order dated 17.05.2018 passed by this Court in CWP-12416-2018.

2. Vide order dated 17.05.2018, this Court passed the following order:-

“[3] Though this Court cannot issue a mandamus to compel the authorities to acquire the land measuring 31K 1M which is still owned by the petitioners, nevertheless, their prayer for providing ingress and egress does require consideration. It goes without saying that if the authorities take a holistic view that no passage can be provided to the land for valid reasons, the desirability of acquiring the left out land, in accordance with law can be considered.

[4] The writ petition is, thus, disposed of at this stage without expressing any views on merits with a direction to respondent Nos.1 to 5 and 8 to 11 to consider the above-mentioned claim(s) of the petitioners and take an appropriate decision in accordance with law within a

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period of four months from the date of receipt of a certified copy of this order. With a view to facilitate the respondent-authorities in formation of their final view, the petitioners are directed to deposit requisite complete sets of this writ petition with the Registry which may be forwarded alongwith a copy of this order to the above-mentioned respondents for consideration.”

Thereafter, the respondents filed compliance report dated 14.03.2020.

The operative part of which reads as under:-

*“6. That in compliance of the order dated 17.05.2018, the respondent authorities intimated to Lt. Col Kulwinder Singh (Rtd) House No. 1129 Sector 33-C Chandigarh that there has been no restriction on ingress & egress to land situated within the cantonment and he is free to access the said land from any of the gates namely Gate No. 1, Gate No. 2 & Gate No. 4 of the Amritsar Cantonment. A true copy of the letter dated 11.09.2018 is annexed herewith as **Annexure R-1** and one letter dated 13.09.2019 was issued to the present petitioners of Contempt Petition, vide which it was specifically mentioned that they are free to access their land. A true copy of the letter dated 13.09.2019 is annexed herewith as **Annexure R-2**.*

7. That further more the respondents authorities issued a letter dated 13.09.2019 wherein it was intimated that there has been no restriction on ingress or egress to their land and they are free to access their land from No. 4 of the Amritsar Cantonment along with valid security pass, which is issued by the HQ as per Station Policy and the present petitioners as well as Lt. Col Kulwinder Singh, who

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*was petitioner in the writ petition were requested to meet the Administrative Commandant along with their documents for issuance of entry passes but instead of approaching to the Administrative Commandant of Station HQ Amritsar Cantt, for issuance of their passes, the present petitioners filed the Contempt Petition without any reason, once the order dated 17.05.2018 stands complied by giving access to the petitioners to their land situated in Cantonment Area. A copy of the letter dated 13.09.2019 has already been annexed herewith as **Annexure R-2**.*

3. In view of the above, the order dated 17.05.2018 passed by this Court in CWP-12416-2018 has already been complied with.
4. Accordingly, the contempt is purged and rule is *discharged*.

(SUDEEPTI SHARMA)
JUDGE

August 06, 2025

Gaurav Arora

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No