



COCP-1654-2021 (O & M)

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

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COCP No.1654 of 2021 (O & M)

Date of decision :-24.09.2025

Kushla Nand Pandey

.....Petitioner

Versus

Dhirendra Khadgata, IAS, Commissioner, Municipal Corporation, Ambala and another

.....Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Vineet Chaudhary, Advocate
for the petitioner.

Mr. Gaurav Jindal, Advocate for respondent No.1.

Mr. Naveen Kumar, Addl. A.G., Haryana
for respondent No.2.

NIDHI GUPTA J. (Oral)

The present contempt petition has been filed by the petitioner alleging violation of orders dated 28.04.2021 (Annexure P-6) and dated 30.6.2021 (Annexure P-8) passed by the learned Division Bench of this Court in CWP-PIL-77-2021 titled as “Court o its own motion vs. Union of India and others” whereby it has been *inter alia* directed as follows :-

“xxx xxx xxx

(iv) *that it is further directed that the orders of eviction, dispossession, demolition etc. passed by this Court or any Court subordinate to it or any Tribunal or Judiial or Quasi Judicial Forum,*



which have so far remained unexecuted, shall remain in abeyance till 30th of June 2021.”

Learned counsel for the petitioner submits that in violation of the said direction of the learned Division Bench of this Court, the property of the petitioner has been demolished.

Learned counsel for respondent No.1 refers to the reply dated 19.5.2023 filed by way of affidavit of Ms. Anju Chaudhary, IAS, Commissioner, Municipal Corporation, Ambala, wherein it has been mentioned that before demolishing the unauthorized construction raised by the petitioner on the land which belongs to the Municipal Corporation, Ambala, a notice dated 28.5.2021 was served upon the petitioner under Section 408-A of the Haryana Municipal Corporation Act, 1994. It is submitted that no reply has been filed by the petitioner to the said notice and neither has any replication has been filed by the petitioner to the aforesaid short reply dated 19.5.2023 filed by respondent No.1.

Learned counsel for the petitioner vehemently contradicts the submissions of the respondent No.1 and submits that no notice dated 28.5.2021 was received by the petitioner and neither has any copy of the said alleged notice been attached by the respondent No.1 with the reply dated 19.5.2023. It is accordingly prayed that the violation against the respondents is made out.

Heard.

I find no merit in the submissions made on behalf of learned counsel for the petitioner as no replication has been filed by the petitioner controverting any submissions made by the respondents



in their written statements/replies. Furthermore, in any event, it is open to the petitioner to take recourse to the appropriate remedy as provided under the Haryana Municipal Corporation Act, 1994, in accordance with law.

In view of the above noted facts, the present contempt petition is hereby **dismissed**.

Rule stands discharged.

Pending application(s), if any, shall stand(s) disposed of.

September 24, 2025

Vijay Asija

(**NIDHI GUPTA**)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No