



COCP-5109-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-5109-2025 (O&M)
Date of decision : 15.10.2025

Gurtej Singh (deceased) through LR's and others ...Petitioners

Versus

Harbans Singh Gill and others ...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. JPS Sidhu, Advocate,
for the petitioners.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed for initiation of contempt proceedings against the respondents for alleged non-compliance of the order dated 19.09.2013 (Annexure P-1), passed by this Court in CWP-175-1995.

2. The following directions were issued by this Court vide order dated 19.09.2013:-

“Under the circumstances, we allow these writ petitions. Matter is remitted to the Collector to decide it afresh, as per provisions of law.

Both the parties be given an opportunity to supplement their pleadings and then after framing issues, question of title be decided first and thereafter, order be passed regarding ejectment of the petitioners, from the land in dispute, if need be. Effect of the entries in the Revenue Record, be also looked into, to judge whether the petitioners' father was in cultivating possession of land in dispute or not. Consolidation record be also looked into, to know as to whether in lieu of land under cultivation of petitioner's father, any land was allotted to him or nor.

Parties are directed to appear before the Collector at Mansa on 28.10.2013.”



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3. Learned counsel for the petitioners submitted that after passing of the aforesaid order, the petitioner appeared before the Collector in October 2013, however, he was told that he would be called by issuance of summons. It is further contended that instead of proceeding in the said matter, subsequently an order dated 08.01.2025 (Annexure P-2) was passed by the Authorities in a fresh petition filed under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, whereby *ex parte* proceedings were conducted against the petitioners without making any reference to the earlier round of litigation, as such, the respondents have violated the directions issued by this Court.

4. I have considered the aforesaid submissions and perused the paper-book.

5. As per the provisions of Section 20 of the Contempt of Courts Act, 1971 (for short, 'the 1971 Act'), the period of limitation is 01 year from the date the contempt is alleged to have been committed.

For reference, Section 20 of the 1971 Act reads as under:-

“20. Limitation for actions for contempt.—No court shall initiate any proceedings of contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed.”

6. Learned counsel for the petitioners has confirmed that the petitioners are in possession of the land in dispute since the year 1940 and they continue to be in possession after passing of the order dated 19.09.2013.



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7. The fact that the petitioners remained in possession of the property in question clearly indicates that for a long period of 12 years, they remained silent and did not allege non-compliance of the aforesaid order by the respondents.

8. Keeping in view of the aforesaid peculiar circumstances as also the provisions of Section 20 of the 1971 Act, this Court is of the considered opinion that proceedings under Section 12 read with Section 2(b) of the 1971 Act cannot be initiated at such a belated stage, since the order which is alleged to have been violated is dated 19.09.2013.

9. Consequently, present petition is dismissed.

10. However, petitioners are at liberty to avail alternate remedy in accordance with law.

11. Pending miscellaneous applications, if any, shall stand disposed of.

15.10.2025

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No