

244

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-1087-2019
Date of decision: 16.09.2019

DHRUV KHANDUJA

.. PETITIONER

VERSUS

Dr. D SURESH

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Mukesh Mittal, Advocate
for the petitioner.

Mr. Anil Chawla, Advocate
for the respondent.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 24.05.2016 passed by this Court in CWP No. 14855 of 2014. The operative part of the order is reproduced below:

“In the circumstances, the petition is disposed of by directing the respondents to consider the petitioner's case for allotment of a plot in a sector adjoining sector 43. It is needless to add that the allotment shall be made in accordance with law including by draw of lots. It is further clarified that by 'adjoining sector' we mean, a sector having a common boundary with Sector 43 such as for instance, Sector Nos. 27, 44, 52 and 52- A. In the event of plots not being available in those sectors, the petitioner is entitled for allotment to a plot nearest to those sectors, such as for instance Sector 28, 40, 41 and 51. The plot allotted in Sector 57 is not a plot in the adjoining sector.”

Learned counsel for the respondent, on instructions, states that it has been agreed that there are alternative plots available in Sector 52, Gurugram and a mini draw is going to held for the allotment of alternative plot to the petitioner.

Learned counsel for the petitioner submits that in view of the statement made today in Court, no cause of action survives for pursuing the contempt petition. However, he states that already much delay has occurred for doing the needful and the respondents be directed to act in a time bound manner.

The contempt petition is disposed of with a direction to the respondent that the mini draw would be held within two months from today and thereafter, needful would be done as expeditiously as possible.

In case, the mini draw is not held within two months from today, the petitioner would be at liberty to revive the contempt petition.

Rule issued against the respondent is discharged.

16th September, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*