



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

COCP-5396-2024

Date of Decision: 20.02.2025

**TARSHEM LAL AND ANOTHER ... PETITIONERS
VS.
PARTH GUPTA IAS DEPUTY COMMISSIONER AND ORS
.. RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Sony, Advocate for
Mr. Rajeev Sharma (Raju), Advocate,
for the petitioners.

Mr. Ravi Pratap Singh, DAG, Haryana.

HARKESH MANUJA , J.(ORAL)

Through present petition, prayer has been made for initiation of contempt proceedings against the respondents due to non-compliance of interim order dated 22.04.2024 passed by the Civil Judge (Jr. Division), Ambala which reads as under:-

“Case received by way of transfer. It be checked and registered.

Replication not filed. Adjournment sought. Heard. Allowed. Now, case is adjourned to 09.05.2024 for filing replication, if any and framing of issues.

In the interest of justice, the defendant is hereby restrained from dispossessing the plaintiffs from the suit property forcibly and illegally except in due course of law till further orders.

The cause set up by the petitioners in the present petition is that despite the order dated 22.04.2024 passed by the trial Court, whereby, the respondents were restrained from dispossessing the petitioners/plaintiffs

from the suit property except in due course of law, a Resolution came to be passed by the Gram Panchayat, followed by an application to the Deputy Commissioner, Ambala for removing the petitioners from the land in dispute, who in turn ordered for providing police assistance. Further, perusal of the record shows that an application under Order 39 Rules 1 and 2 CPC filed at the instance of the petitioners/plaintiffs was dismissed by the trial Court on 18.11.2024. A perusal of the same, shows that the petitioners/plaintiffs were dispossessed after being served with a notice under Section 24(1) of the Haryana Panchayati Raj Act, 1994 and thus, in the humble opinion of this Court, there is no apparent willful violation of interim order dated 22.04.2024 passed by the trial Court which only restrained the respondents from dispossessing the petitioners/plaintiffs forcibly or illegally except in due course of law.

In view thereof, no cause survives in the present petition. The same is devoid of any merit and is, hereby, dismissed.

**(HARKESH MANUJA)
JUDGE**

20.02.2025
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No