

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

COCP No.1793 of 2016 (O&M)
Date of Decision: 04.12.2023

Bhairaj Singh

.....Petitioner

Versus

Ghan Shyam Thori and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: None for the petitioner.

Mr. Ashok Kumar Bazaz, Advocate,
for the respondents.

Mr. Saurabh Kapoor, Advocate,
for the applicant in CM-27493 & 27527-CII-2018.

RAJBIR SEHRAWAT, J. (ORAL)

CM-27493-CII-2018 and CM-27527-CII-2018

These applications have been filed for impleading applicants as respondent Nos.7 and 8 and for staying the operation of orders dated 30.08.2018 and 19.11.2018 passed in COCP-1793-2016.

Since, the main petition itself is being dismissed today, therefore, the present applications are rendered as infructuous and dismissed as such.

Main Case

This is a contempt petition filed under Sections 10 and 12 of the Contempt of Courts Act, for initiating contempt proceedings against the respondents for disobeying the order dated 04.10.2008 passed by this Court in CWP No.4886 of 2003.

Written request for adjournment has been circulated on behalf of the petitioner.

Fresh status report filed in the Registry is taken on record.

Learned counsel for the respondents has submitted that there is no encroachment by the persons against whom the same has stated by the petitioner. In fact, the respondents-Municipal Corporation had served the notices upon the said persons qua the alleged encroachment. The said persons had approached the High Court vide CWP No.29671 of 2018. In that writ petition, the Court had directed the Municipal Corporation to consider the representation of the petitioners. On consideration of the entire matter, the Municipal Corporation has found that the constructions raised by the said persons was only on their private land; and there is no encroachment upon any public road.

In view of the above, the present petition is rendered as infructuous and dismissed as such.

(RAJBIR SEHRAWAT)
JUDGE

04.12.2023

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No