
(2012) 05 P&H CK 0099
In the Punjab And Haryana At Chandigarh
Case No : COCP No. 1187 of 2011

Naina Jyoti and others

APPELLANT

Vs

Om Parkash Yadav and others

RESPONDENT

Date of Decision : 17-05-2012

Acts Referred:

Constitution of India, 1950 — Article 215
Contempt of Courts Act, 1971 — Section 12, 2A

Citation : (2012) 05 P&H CK 0099

Hon'ble Judges : Jaswant Singh, J

Bench : Single Bench

Advocate : Deepak Agnihotri with Mr. Balwinder Singh, for the Appellant; Sudhir Aggarwal, Advocate for respondents 1 and 2 and Mr. OP Sharma, Addl. AG Haryana for respondents 3 and 4, for the Respondent

Final Decision : Dismissed

Judgement

Jaswant Singh, J.—The present Contempt of Court Petition u/s 12 and 2 A of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution has been filed by the petitioners for the alleged disobedience of the order dated 24.4.2006 passed in RSA No. 4611 and 4612 of 2001, whereby the parties were directed to maintain status quo regarding possession of plot No. 185-A, New Colony, Gurgaon. Petitioners, who are the legal representatives of plaintiff Kulbhushan Sharma have filed the present contempt petition alleging that the legal representatives of Lakhmi Chand, who in turn is legal representative of defendant Jessa Ram, had violated the interim order dated 24.4.2006 rendering themselves liable for contempt proceedings in connivance with police officials (respondents 3 and 4). After hearing the learned counsel for the parties, this Court finds no substance in the plea raised on behalf of the petitioners. A perusal of the interim order dated 24.4.2006 reveals that the parties were directed to maintain status quo regarding possession during the pendency of the appeal which was admitted for hearing. There was no order prohibiting raising of any construction. It is further not in dispute that vide a separate order of even date,

this Court in RSA No. 4611/2001 has disposed of the application filed by the present petitioners seeking to restrain raising of construction over the said plot.

2. In view of the above, present contempt petition is dismissed.