

**IN THE HIGH COURT OF HIMACHAL PRADESH,  
SHIMLA**

**COPC No.166 of 2011**

**Date of decision: 5.7.2013**

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Asha Pathania

.....Petitioner

Versus

Harbhajan Singh

..... Respondent

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***Coram:***

**The Hon'ble Mr. Justice A.M Khanwilkar, Chief Justice**

**The Hon'ble Mr. Justice R.B. Misra, Judge**

Whether approved for reporting?

For the petitioner: Mr. Deepak Kaushal, Advocate.

For the respondent: Ms. Jyotsna Rewal Dua, Advocate.

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**A.M. Khanwilkar, Chief Justice (oral)**

In this application, the grievance of the applicant is about breach of direction issued by this Court in terms of order dated 19<sup>th</sup> April, 2011. The grievance is limited to the activity of the respondent on 20<sup>th</sup> April, 2011. No doubt, the application has been filed immediately on 8<sup>th</sup> May, 2011, but since more than one year has elapsed and coupled with the statement made on affidavit by the respondent in paragraph 2(iii), which has remained uncontroverted, we decline to continue with these proceedings. Hence, petition is dismissed.

2. We, however, place on record that if the respondent continues with the illegal activity in spite of order passed by this Court, it will be open to the applicant to take out fresh application which can be considered on its own merits.

**( A.M. Khanwilkar )  
Chief Justice**

**July 5, 2013**  
(vt/rajni)

**( R.B. Misra )  
Judge**