

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

COCP no.1666 of 2012(O&M)

Date of Decision : 08.09.2015

The Animal Husbandry Cooperative House Building Society Ltd.

....Petitioner

Versus

Bharat Bhushan and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

- 1)Whether reporters of local newspapers may be allowed to see the judgment?
- 2) To be referred to the Reporters or not?
- 3) Whether the judgment should be reported in the Digest?

Present : Mr. Rajesh Khandelwal, Advocate for the petitioner

Mr. Ajay Jain, Advocate for respondent no.1.

Mr. Subhash Ahuja, Advocate for respondent no.2.

Mr. Pankaj Maini, Advocate for respondent no.3 and 4

MAHESH GROVER, J.

The petitioner has alleged violation of the orders dated 19.4.2007 granting interim orders in the same terms as in RSA no.3575 of 2006 which for the purposes of reference are extracted herebelow:-

“None of the parties to the appeal shall alienate the suit property in any manner except with the prior permission of the Court.”

The petitioner does not state in the petition as to when the orders of this

Court was communicated to the respondents whom he alleges to have violated the same.

These facts would be relevant for the reason that the respondents have categorically denied the knowledge of this order which was acquired by them as late as after 2012 and the sale deed was executed on 27.2.2008. Once an order beneficial to the petitioner was passed it was his duty to serve the same upon the parties to the dispute and he could not withhold the same to plead violation thereof by a party ignorant of its contents. Any violation in ignorance of the order cannot be termed to be wilful disobedience; one of the pre-requisites to consider the issue under Contempt of Courts Act.

Finding the aforesaid essential ingredient to be absent from the proceedings, the instant petition is held to be without any merit and the same is hereby dismissed.

September 08, 2015
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(Mahesh Grover)
Judge