

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

COCP No.3057 of 2015
Date of Decision: 04.12.2015

Pawanjit Singh

. . . .Petitioner

Versus

Sahil Kumar

. . . . Respondent

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Vishal Sharma, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J.

This petition is filed for initiating contempt proceedings against the respondent for willful disobedience of the order dated 20.12.2013 passed by the Civil Court on an application filed under Order 39 Rules 1 and 2 of the Code of Civil Procedure, 1908 [for short 'the CPC'], 23.4.2015 passed by the Appellate Court, dismissing the Miscellaneous Civil Appeal filed by the respondent and order dated 14.7.2015 passed by this Court in CR No.3757 of 2015 in which status quo regarding possession was ordered to be maintained by the parties.

In short, the petitioner along with Hari Om filed suit for permanent injunction against one Ram Rachhpal and Gurdial Dass in respect of 5 acre of land. He also filed an application for temporary injunction, which was allowed on 20.12.2013 and parties were directed to maintained status quo. The respondent alleged to

have filed an application to implead him as a party which was allowed and he along with M/s G.K.S. Infrastructure was impleaded as defendant. The respondent also moved an application for modification of the order of status quo but his application was dismissed on 29.5.2014 by the Civil Court and his appeal was dismissed by the Appellate Court on 23.4.2015. However, in CR No.3757 of 2015, filed by the respondent, status quo has been ordered to be maintained regarding possession in respect of the land in question by both the parties.

Learned counsel for the petitioner has submitted that the respondent has sold the land out of the land in question and is also raising construction. He has referred to Annexure P-6, which according to him is a sale deed but the said document is only an agreement to sell and it is not clear whether the construction is being raised on the land measuring 22 bigha, 6 biswa and 6 biswani, which was allegedly in exclusive possession of the petitioner after partition for which status quo was granted regarding possession by this Court, or on some other land.

In view thereof, not only the pleadings are deficient but there is no disobedience of the aforesaid orders as alleged and hence, the present petition is found to be without any merit.

Dismissed.

04.12.2015

Vivek

(RAKESH KUMAR JAIN)
JUDGE