

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

COCP no.2468 of 2014 (O&M)

Date of Decision :08.02.2016

Swaran Singh

....Petitioner(s)

Versus

Gurpinder Singh and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.S.S.Khaira, Advocate for the petitioner

Mr. Anant Kataria, DAG, Punjab

Mr. Aakash Singla, Advocate for respondents no. 1 to 5

MAHESH GROVER, J.

The petitioner alleges violation of the orders of this Court dated 23.2.2011 whereby the execution of the decree for specific performance in favour of the present respondents had been stayed. Pursuant thereto respondents made a statement before the Executing Court to withdraw the execution itself.

Learned counsel for the petitioner contends that his possession has been violated as respondents destroyed the crops. The police did not take any cognizance and neither did any other authority. This is violation of the orders of this Court so as to warrant proceedings against respondents under Contempt of Courts Act.

After hearing learned counsel for the parties, I am of the considered

view that the prayer of the petitioner is absolutely unjust as the orders, non-compliance of which is alleged merely mandated the execution proceedings to remain stayed and pursuant to which respondents withdrew the execution proceedings. Any dispute regarding the factum of possession would not ipso facto mean violation of the limited mandate of this Court. If the possession of the petitioner has been threatened, he would have remedies in law. There is no infringement of the orders of this Court.

Hence, dismissed.

February 08, 2016
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(Mahesh Grover)
Judge