

COCP No.491 of 2015  
COCP No.1738 of 2016

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

(1) **COCP No.491 of 2015**  
**Date of decision:04.08.2016**

Ramesh Kumar ...Petitioner

Versus

Surinder Singh and others ...Respondents

(2) **COCP No.1738 of 2016**  
**Date of decision:04.08.2016**

Ramesh Kumar ...Petitioner

Versus

Puran Singh and others ...Respondents

**CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain**

Present: Mr. S.D.Sharma, Senior Advocate, with  
Mr. Abhey Gupta, Advocate, for the petitioner(s).

Mr. Anant Kataria, DAG, Punjab.

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**Rakesh Kumar Jain, J. (Oral)**

This order shall dispose of two petitions bearing COCP Nos.491 of 2015 and COCP No.1738 of 2016 as the issue involved in both the cases is the same. However, for the sake of convenience, the facts are being extracted from COCP No.491 of 2015.

In brief, Ramesh Kumar and another filed a suit for possession and recovery of mesne profits for the use and occupation of the suit land. The suit was decreed. The decree of the trial Court was maintained in the first and second appeal. The petitioner(s) filed the execution to take possession but it is alleged that the execution proceedings are not making

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much headway as the Executing Court is not getting the support of the police for the purpose of execution of warrant of possession.

I have heard learned Senior counsel in detail and perused the record.

Although a contempt petition is not maintainable for execution of a decree of the Civil Court as the Civil Court itself is competent to enforce its orders in the process of execution but keeping in view the facts and circumstances, the present petitions are hereby disposed of with an observation that the Executing Court, seized of the execution of the decree, shall proceed, in accordance with law, for expeditious disposal of the execution application.

**August 04, 2016**  
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**(Rakesh Kumar Jain)**  
**Judge**

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|------------------------------|--------|
| Whether speaking / reasoned: | Yes/No |
| Whether Reportable:          | Yes/No |