

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

**COCN No. 3556 of 2014 (O&M)
Date of Decision: 17.02.2017**

Satyavir

..... Petitioner

Versus

Om Parkash

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. J.P. Sharma, Advocate
 for the petitioner.

Mr. Sanjay Vashisth, Advocate
 for the respondent.

JASWANT SINGH, J. (ORAL)

Petitioner-Satyavir is one of the Legal Representative (LR) of the original plaintiff-Ram Avtar. He alleges that the respondent has violated the interim order dated 01.05.2000 (**Annexure P-1**) passed in the pending Regular Second Appeal (RSA) No. 118 of 2000, filed by the LRs, including the petitioner, of Ram Avtar, against the concurrent findings recorded by both the Courts below, whereby the suit filed by Ram Avtar, alongwith his brothers and sisters, seeking a declaration of ownership qua half share of the suit land total measuring 62 kanals, was dismissed.

The interim order dated 01.05.2000 (**P-1**) in the abovesaid pending RSA restrained the respondent-defendants from alienating the suit land.

It is contended that the respondent(s), by executing a gift deed dated 27.08.2014 (**Annexure P-6**) in favour of the Gram Panchayat in respect of 02 *karams* i.e. 01 *kanal* 10 *marlas* out of the suit land, willfully disobeyed the interim order dated 01.05.2000 (**P-1**) passed by this Court.

After hearing learned counsel for the parties, no contempt is made out, as the alienation can, at best, be restrained to the share claimed by the plaintiff-petitioner to the extent of his share that, concededly, is not beyond 31 kanals.

In view of the above, no further action in the contempt is warranted, accordingly, present petition stands dismissed as infructuous and rule is discharged.

February 17, 2017

'dk kamra'

**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No