

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

Date of decision:22.03.2017

Swaran Singh

.....Petitioner

v.

Shangara Singh and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- None for the parties.

Jaswant Singh,J.(Oral).

Plaintiff/father of the petitioner filed a suit for permanent injunction in respect of land measuring 7Kanal situated in Village Balharwal, Tehsil Ajnala, District Amritsar. The suit was decreed by trial court vide judgment and decree dated 22.12.1988. Aggrieved against the same, father of respondents preferred an appeal which was dismissed by learned Additional District Judge, Amritsar on 17.12.1993. In execution proceedings, possession of the suit property was delivered to the petitioner vide report Roznamcha dated 15.2.1994. Still aggrieved, father of the respondent filed RSA No.611/1994 before this Court. Vide order dated 23.3.1994 passed in said RSA while issuing notice regarding stay for 28.8.1994, status quo regarding possession ad interim was ordered to be maintained. Petitioner entered appearance and filed reply to the stay application alongwith report Roznamcha dated 7.7.1994 and 15.2.1994. This Court vide order dated 18.7.1994 passed in RSA 611/1994 directed parties to maintain status quo regarding possession as existing on 23.3.1994.

It is alleged that respondents despite stay granted by this

Court entered forcibly in the suit property under the peaceful possession of the petitioner and thus liable for contempt proceedings.

Vide order dated 7.5.2007 the instant contempt was ordered to be heard with RSA 611/1994. Since Mr.NC Doabia, Advocate who had filed instant contempt has expired, so vide order dated 14.9.2016 petitioner was ordered to be served for 23.11.2016.

As per office report submitted for 23.11.2016, notice issued to the petitioner had been received back with the report that petitioner has refused to accept notice. It was further reported that compromise has been effected between the petitioner and legal representatives of respondent. Still on 23.11.2016 the case was ordered to be listed for 15.3.2017 on which date again none appeared and the case was ordered to be listed for today.

Today again no one has put in appearance on behalf of either of the parties.

In view of the office report noticed above, it is apparent that parties in the instant contempt have compromised and the petitioner has refused to accept notice.

Accordingly, present contempt is dismissed as having become infructuous.

22.03.2017
joshi

(Jaswant Singh)
Judge

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