

COCP-1745-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP-1745-2018

Date of Decision: 11th July, 2018

Amrik Kaur

...Petitioner

Versus

Jatinderpal Singh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. S.L. Chander Shekhar, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging violation of the order dated 23.05.2003 (Annexure P-1) passed by this Court in RSA No.1618 of 2003, titled as 'Jatinderpal Singh Vs. Amrik Kaur & others'.

It is the contention of the learned counsel for the petitioner that despite an order passed by this Court on 23.05.2003, wherein, it was admitted by the appellant therein that he would hand over the vacant possession to the petitioner herein, who was respondent, after May 31st, 2004, the said possession has been handed over to her but now three kanals of land has been sold by Jatinderpal Singh-appellant in RSA No.1618 of 2003, who is respondent No.1 herein. He submits that the possession has been handed over to the persons, who had got the land from him, namely, Kashmir Singh, Harinder Singh and Jagtar Singh, respondents No.2 to 4 respectively in the present case.

When being asked by this Court to refer to the sale deed in

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support of his contention, counsel for the petitioner has referred to CWP No.13753 of 2018, which has been preferred by the petitioner and tagged along with the present case, to contend that the warrant of possession of the said land has been obtained by Harinder Singh and Jagtar Singh in partition proceedings which have been initiated before the Assistance Collector Ist Grade-cum-Naib Tehsildar, District Sangrur, without impleading the petitioner.

If that be so, it is apparent that the possession is still with the petitioner and therefore, no contempt has been committed by the respondents as the possession still continues with the petitioner.

In view of the above, finding no merit in the present contempt petition, the same stands dismissed.

11th July, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

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