

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

COCP No. 2680 of 2016 (O&M)

Date of decision:26.11.2018

Matadin

...Petitioner

Versus

Mahender

...Respondent

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Dr. P.R. Yadav, Advocate
for the petitioner.

Respondent in person-Mahender with
Mr. Sandeep Kumar Yadav, Advocate

NIRMALJIT KAUR, J. (ORAL)

Power of attorney has filed on behalf of the respondent in Court today, which is taken on record.

Admittedly, respondent had given an undertaking to hand over the possession within six months on or before 18.09.2016. However, the respondent did not hand over the possession as directed. The petitioner was forced to file an execution petition. It was then, only as late as on 12.09.2018 and the same was finally handed over and that too with the Police help and by the use of JCB for which the petitioner has not only faced harassment but also had to engage a counsel and also incurred expenses for the JCB etc, besides, the respondent continued to enjoy the fruits of the property for almost two years.

This Court has no doubt that the respondent is guilty of that contempt. At this stage, on instructions from respondent-Mahender, learned counsel for the respondent states that he tenders unqualified apology and he is also ready to compensate the petitioner and offers him an amount of Rs. 25,000/-.

Accordingly, the contempt petition is disposed of with direction to the respondent to make a payment of Rs. 25,000/- within one week from today by way of demand draft in the name of the petitioner.

In case, the said demand draft is not handed over to the petitioner within one week, the said contempt petition shall stand revived

for undergoing the sentence as to be fixed by the Court on the revival of the Contempt Petition.

Disposed of accordingly.

26.11.2018

renu bala

**(NIRMALJIT KAUR)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No