

**252**

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

CR No.2989 of 2017 (O&M)  
Date of Decision: 11.07.2018

Adarsh Pal Singh

....Petitioner

Vs

Bishan Singh

.....Respondent

**CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present: Mr. Namit Gautam, Advocate,  
for the petitioner.

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**RAJ MOHAN SINGH, J.(Oral)**

1. Violation of interim order dated 12.02.2004 was alleged in the application under Order 39 Rule 2-A read with Section 151 CPC for initiating contempt proceedings against the respondent.

2. The respondent contested the application and pleaded that he had not violated the said order. The Court on assessment of material on record recorded a finding that the petitioner despite placing on record photographs of the spot could not substantiate the same by producing photographer and in the absence of such witness, mere production of photographs could not be taken as evidence of violation of interim order.

3. In the grounds of appeal filed against the interim order by the defendants-respondent, it was pleaded by the

defendants that previously there was one room in the area purchased by defendant No.1 (deceased) which was got renovated by her later on. As on date, the condition of construction has become dilapidated and defendant No.1 has demolished the same. When re-construction was being done after erecting pillars, on seeing the building material lying on the spot, the Court drew an inference that after the passing of the interim order, respondent has stopped the work of construction and the raw material is still lying at the spot and may become waste.

4. It is also recorded that the suit itself has been dismissed by the trial Court vide judgment and decree dated 18.03.2013 against which lower Appellate Court has accepted the appeal.

5. In any case, the petitioner could not establish violation of the interim order by way of proving material on record.

6. In view of above, there is no scope for interference in the present revision petition,

7. This revision petition is accordingly, dismissed.

11.07.2018

*Jyoti Yadav*

**(RAJ MOHAN SINGH)**  
**JUDGE**

1. Whether speaking/reasoned : Yes/No  
2. Whether reportable : Yes/No