

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

**Contempt of Court Petition No.589 of 2020 (O&M)
Date of Decision: February 12, 2020**

Mohinder Singh

.....PETITIONER(s).

VERSUS

Seema Singh, Tehsildar

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. V.M. Handa, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Learned counsel for the petitioner submits that vide order dated 10.07.2018 passed by Addl. Civil Judge (Sr. Div.), Sultanpur Lodhi in civil suit No.CS-151-2018, the defendants were restrained from taking forcible possession or interfering in any manner in peaceful possession of the plaintiff over the suit land till 24.07.2018. That order was affirmed on 03.10.2019 with direction that *“defendants/respondents are hereby restrained from taking forcible possession of the suit land, forcibly and illegally, except in due course of law.”* Despite the injunction order, Assistant Collector Second Grade, Sultanpur Lodhi passed order dated 02.12.2019 correcting khasra girdawaries of the suit land in the name of Amarjit Singh son of Suhel Singh, who was defendant No.2 in the civil suit. The order of the respondent amounts to contempt of the order passed by learned Additional Civil Judge (Senior Division), Sultanpur Lodhi in civil suit.

restrained from taking forcible possession of the suit land in an illegal manner or except in due course of law. Petitioner has not alleged that defendants in that case have violated the said order.

The question, which arises for consideration in this petition is as to whether order dated 02.12.2019 passed by Assistant Collector Second Grade, Sultanpur Lodhi correcting the entries in khasra girdawaries in the name of Amarjit Singh son of Suhel Singh amounts to violation of injunction order passed by learned Addl. Civil Judge (Senior Division), Sultanpur Lodhi.

While passing order dated 02.12.2019, Assistant Collector Second Grade, Sultanpur Lodhi has acted in due course of law. She has not passed any order to deliver the possession of the suit land to defendant No.2 in the civil suit. Even otherwise, there is no stay order of delivery of possession in accordance with law. Against the order of Assistant Collector Second Grade, Sultanpur Lodhi, petitioner has filed the appeal, which is still pending. There was no direction by the Court that the entries in the khasra girdawaries cannot be corrected by the competent authority.

Keeping in view the above facts, I find no violation of the injunction order passed by learned Addl. Civil Judge (Senior Division), Sultanpur Lodhi, calling for initiation of contempt proceedings against the respondent.

This petition has no merits. Dismissed.

(SURINDER GUPTA)
JUDGE

February 12, 2020
Sachin M.

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No