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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No.1834 of 2018(O&M)
Date of Decision: 31.01.2023

Karnail Singh Petitioner

V/s.

Karnail Kaur and OthersRespondents

COCP No.1291 of 2021(O&M)

Major Singh Petitioner

V/s.

Karnail SinghRespondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Naresh Kumar, Advocate for the petitioner.

Mr. Jaswinder Singh, Advocate for respondent Nos.1, 3 to 8.

Mr. Vishal Sodhi, Advocate
for respondent Nos. 1 to 7 (In COCP-1834)

Arvind Singh Sangwan, J. (Oral)

The petitioner alleges violation of the order dated 07.11.2016 passed by the Financial Commissioner in a revision arising out of partition proceedings through which status quo is ordered.

Though there is no specific direction as to raising any construction or transfer of the property, the interpretation of the status quo would mean that the partition proceedings which are going on, will not be finalized as the challenge before the revisional Court is to an order passed by the Assistant Collector, 1st Grade, Patiala preparing the instrument of partition.

Counsel for the petitioner submits that the respondent has raised certain construction and has transferred the property in his own family.

Counsel for the respondents on the basis of the photograph(s) submits that only the existing old construction is repaired and no new construction is made

at the spot as well as the fact that there is no specific order of restraining the respondents from alienating the property within their share and therefore, there is no violation of the order of status quo.

In view of the liberty taken by learned counsel for the petitioner that they have only repaired the old construction, no contempt is made out.

The present petition is accordingly, disposed of.

31st January, 2023

Sonia Puri

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No