

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

**COCp-2055-2015 (O&M)
Date of decision: 15.02.2023**

Inderjit Singh

...Petitioner

Versus

Swaran Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A. S. Saini, Advocate
for the petitioner.

Mr. Yogesh Kumar Aneja, Advocate
for respondent No. 2.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner is alleging violation of the order dated 25.05.2000 passed in RSA-844-2000, vide which, the parties were directed to maintain *status quo* regarding alienation of the property as well as subsequent orders dated 14.10.2011 and 16.05.2012, vide which, the parties were directed to maintain *status quo* regarding title and possession of the property.

As per allegations in this petition, the petitioner had filed a suit for declaration that he is owner in possession of the land measuring 34 Kanals and 14 Marlas i.e. 1/3rd share of total land measuring 104 Kanals and 02 Marlas, as detailed in the plaint. The suit was decreed by the trial Court on 26.03.1994 holding the petitioner to be the owner of 1/3rd share of the said property. The first appeal was dismissed by the lower appellate Court on 10.11.1999. Thereafter, respondent No. 1 Swaran Singh (who has died

and his name stands deleted on 04.07.2018) filed aforesaid RSA, in which, successive orders regarding *status quo* qua possession, alienation and title were passed.

In paragraph No. 7 of this petition, it is stated that respondent No. 1 in connivance with Patwari has created a passage through the property which is a subject matter of dispute in the said RSA and it amounts to violation of the aforesaid orders passed by this Court.

Admittedly, respondent No. 1 has died and his name stands deleted and in the affidavit filed by respondent No. 2, it is stated that the rapat entered into by him was much prior to status quo orders passed by this Court and, therefore, he has not violation any order passed by this Court.

In view of the same, no case of any willful disobedience is made out

The present petition is dismissed.

Rule stands discharged.

15.02.2023

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No