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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCF No.307 of 2019 (O&M)

Date of decision: 09.01.2023

Taini Khan

....Petitioner

Versus

Gurpartap Singh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Paramjit Batta, Advocate
for the petitioner.

Mr. Kanwaljit Singh, Sr. Advocate
with Ms. Rishika, Advocate
for the respondents.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for violation of the order dated 15.10.2004 vide which the parties were directed to maintain status quo regarding the possession.

The case as set up by the petitioner is that the petitioner has filed a suit that he has leased out the land in dispute, on which he has constructed a house and the defendant/landlord are interfering in the same. The suit was dismissed by the trial Court vide judgment dated 06.03.2003 and the appeal was also dismissed by the Lower Appellate Court vide judgment and decree dated 29.07.2004. The petitioner preferred an RSA before this Court, in which the aforesaid order is passed to maintain status quo regarding the possession as it exists today i.e. on 15.10.2004 when the order was passed.

The present contempt petition has been filed in the year 2019 i.e. after a lapse of 15 years, alleging that the respondents are

interfering in the possession and a passage leading from Khasra Nos.265 to 268 is demolished.

Learned senior counsel for respondents No.2, 4 and 5 has stated at Bar that the petitioner is still residing in the house, which was constructed and his status is that of a licensee.

In view of the statement made by learned senior counsel for respondents No.2, 4 and 5, no violation of the order dated 15.10.2004 is made out.

Accordingly, the present contempt petition is disposed of with liberty to the petitioner to approach the contempt court for grievance, if any.

(ARVIND SINGH SANGWAN)
JUDGE

09.01.2023
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No