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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCF No.1173 of 2019 (O&M)

Date of decision: 05.01.2023

Madan Lal Sarna

....Petitioner

Versus

Aman, President, Gaushala Committee, Nabha and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Puneet Singla, Advocate for the petitioner.

Mr. Adarsh Jain, Advocate for respondents No.1 to 5.

ARVIND SINGH SANGWAN J. (Oral)

The petitioner is alleging violation of the order dated 10.08.2018 passed in regular second appeal vide which the case was remanded back to the Lower Appellate Court to decide the appeal afresh and it was further directed that the parties will maintain status quo qua the possession.

Affidavit on behalf of respondents No.1 to 5 filed in the Court is taken on record, in which it is stated that after the remand of the case, the Additional District Judge, has re-decided the first appeal wherein in para 32 of the judgment, it is held that the petitioner/plaintiff has failed to prove his possession over the suit property.

In view of the judgment of the Hon'ble Supreme Court in "*Kanwar Singh Saini vs High Court of Delhi*", 2012(4) SCC 307, once the main suit/appeal stands decided, the interim order automatically stands nullified and therefore, no case for contempt is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

05.01.2023

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No