

[Neutral Citation No.2023:PHHC:072421]

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

**COCp-2481-2020 (O&M)  
Date of decision: 18.05.2023**

**Court on its own motion**

**...Petitioner**

**Versus**

**Sukhwinder Singh**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Vaneet Sharma, Advocate  
for the petitioner.

Dr. Naresh Kaushik, Advocate  
for the respondent.

Mr. Ayush Sarna, AAG, Punjab.

**ARVIND SINGH SANGWAN, J. (Oral)**

The present civil contempt proceedings are initiated on the recommendation made by the Civil Judge (Sr. Divn.), Amritsar with the allegations that an execution petition was filed by one Mangal Singh, in which, as per Court order, the SHO/Incharge Police Station Maqboolpura was to provide police help to Bailiff for execution of warrants of possession regarding a plot in dispute, however, the police help was not provided and the possession could not be delivered.

It is further stated that the respondent has helped the judgment debtors in not executing the warrants of possession, therefore, he has committed willful disobedience of the order of the civil Court.

Reply, filed by the respondent/contemnor, is on record, in which, it is stated that warrants of possession, in compliance of the order passed by the civil Court, have already been executed on 07.09.2013 and the

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execution proceedings have been closed as satisfied on 19.09.2013. It is further stated that the respondent had not violated the order as on the first date of execution of warrants of possession i.e. 29.03.2012, he was diagnosed with *Trochanter with shaft femur*, therefore, due to his temporary medical disability, he could not provide the police help, which was later on provided and the decree of the trial Court is satisfied. In support of the same, the respondent has also placed on record certificate issued by the doctor concerned. The respondent has also submitted that he is now a senior citizen and has tendered his unconditional apology.

After hearing learned counsel for the parties and considering the fact that the decree has already been executed and on the said date, the respondent, being the Incharge of the police station, could not provide police help due to his ill health, which was later on provided and possession was delivered, this Court finds no reason to continue any further with the present contempt petition.

Accordingly, the present petition is disposed of.

Rule stands discharged.

18.05.2023  
*Waseem Ansari*

(ARVIND SINGH SANGWAN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*