

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

**COCp-2386-2021 (O&M)  
Date of decision: 20.03.2023**

**Rohtash and others**

**...Petitioners**

**Versus**

**Ishwar and others**

**...Respondents**

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

Present:- None for the petitioners.

Mr. Raghav Gulati, Advocate and  
Mr. Eeshan Garg, Advocate  
for respondent No. 1.

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

The petitioners are alleging violation of the order dated 18.08.2015, passed by this Court in RSA-3418-2015, vide which, the parties were directed to maintain *status quo* with regard to property in question.

Brief facts of the case are that petitioner No. 1 Rohtash had filed a civil suit for mandatory injunction and permanent injunction against the respondents with a prayer that he should be declared joint owner in possession of the land described in para 1 of the plaint and the entries recorded in favour of defendant Nos. 1 to 11, as per decree dated 17.09.1976, the mutation No. 603, sanctioned on the basis of the same, and subsequent jamabandis for the year 1978-79 onwards be declared illegal and not binding on the right of the plaintiff and further the compensation amount on the part of the suit land be also disbursed to him.

The aforesaid suit was dismissed by the trial Court, vide judgment and decree dated 24.03.2014. Thereafter, Rohtash and others filed

a civil appeal before the District Judge, Rewari, which was also dismissed on 28.04.2015. Thereafter, Rohtash and others have filed the aforesaid RSA before this Court, in which the order of status quo was passed on 18.08.2015.

It is well settled law that that the order of status quo, passed by the higher Court, is to be interpreted in view of the judgment and decree passed by the Court(s) below and in the instant case, the petitioner/plaintiff, having failed to prove his ownership or possession, both the Courts below have dismissed the suit of the petitioner.

Learned counsel for respondent No. 1, who is defendant, has placed on record a certificate dated 24.06.2022, issued by the HDFC Bank, vide which, the Agricultural Cash Credit/Term Loan facility, availed by respondent No. 1/Ishwar, has been released by the said Bank against the alternative collateral property. The copy of the 'No Dues Certificate' is taken on record as Mark 'A'.

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

Accordingly, the present petition is dismissed.

Rule stands discharged.

20.03.2023  
*Waseem Ansari*

(ARVIND SINGH SANGWAN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*