

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

**COCP-2535-2022 (O&M)
Date of decision: 18.01.2023**

Ballu Ram

...Petitioner

Versus

Kanti Devi

...Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Anubhav Siwach, Advocate for
Mr. Balraj Gujjar, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J.

CM-15974-CII-2022

For the reasons stated in the application, same is allowed and
delay of 155 days in filing the contempt petition is condoned.

CM stands disposed of.

COCP-2535-2022

The petitioner alleges violation of the order dated 08.08.2000,
vide which, while admitting RSA-2778-1999, it was directed that status quo
regarding possession shall be maintained.

Brief facts of the case are that the petitioner had filed a suit for
permanent injunction against respondent Kanti Devi, on the basis of a lease

deed, which was decreed and the appeal filed by respondent Kanti Devi was dismissed by the lower appellate Court and in aforesaid RSA filed by her, status quo was ordered to be maintained.

A perusal of the record shows that in a suit filed under Section 77(3)(e) of the Punjab Tenancy Act for eviction of tenant-petitioner Ballu Ram (respondent therein) by respondent Kanti Devi and others, it is held that petitioner Ballu Ram is evicted from the disputed land on account of non-payment of the lease amount vide order dated 27.03.2018. The said order was assailed before the appellate authority and while dismissing the appeal filed by the petitioner, it is held that after passing of the eviction order dated 27.03.2018, as per Action Take Report dated 04.06.2019, the aforesaid order dated 27.03.2018 has been complied.

In view of the above, the order of status quo regarding possession is to be seen in the light of subsequent developments, where the respondent has taken possession in due course of law.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

18.01.2023
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No

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

**COCP-2535-2022 (O&M)
Date of decision: 18.01.2023**

Ballu Ram

...Petitioner

Versus

Kanti Devi

...Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Anubhav Siwach, Advocate for
Mr. Balraj Gujjar, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J.

CM-15974-CII-2022

For the reasons stated in the application, same is allowed and
delay of 155 days in filing the contempt petition is condoned.

CM stands disposed of.

COCP-2535-2022

The petitioner alleges violation of the order dated 08.08.2000,
vide which, while admitting RSA-2778-1999, it was directed that status quo
regarding possession shall be maintained.

Brief facts of the case are that the petitioner had filed a suit for
permanent injunction against respondent Kanti Devi, on the basis of a lease

deed, which was decreed and the appeal filed by respondent Kanti Devi was dismissed by the lower appellate Court and in aforesaid RSA filed by her, status quo was ordered to be maintained.

A perusal of the record shows that in a suit filed under Section 77(3)(e) of the Punjab Tenancy Act for eviction of tenant-petitioner Ballu Ram (respondent therein) by respondent Kanti Devi and others, it is held that petitioner Ballu Ram is evicted from the disputed land on account of non-payment of the lease amount vide order dated 27.03.2018. The said order was assailed before the appellate authority and while dismissing the appeal filed by the petitioner, it is held that after passing of the eviction order dated 27.03.2018, as per Action Taken Report dated 04.06.2019, the aforesaid order dated 27.03.2018 has been complied.

In view of the above, the order of status quo regarding possession is to be seen in the light of subsequent developments, where the respondent has taken possession in due course of law.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

18.01.2023
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No