



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

CACP-11of 2008(O&M)

Date of decision:- 21.08.2024

Attar Singh

...Appellant

Versus

Labh Singh and others

...Respondents

***CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA***

Present:- Mr. M.K. Singla, Advocate
for the appellant.

SURESHWAR THAKUR, J. (Oral)

1. Learned counsel appearing for LR's of the deceased-appellant submits that the estates of the respective deceased-litigants, upon, occurrence of their respective demises, during the pendency of the Regular Second Appeal bearing No. 1247-1999, have been ordered to be substituted through orders becoming passed by this Court. He also submits that the newly added LRs of deceased-litigants concerned are represented by their respectively engaged counsel.

2. However, the learned counsel for the contemner in CACP No. 11-2008, as has arisen from the purported disobedience of orders passed by this Court in RSA (supra), whereby the parties were restrained from during the pendency of the said RSA, thus alienate the suit properties, submits that the contemner concerned has died during the pendency of the said contempt petition. Since only upon proof becoming adduced before this Court in respect of any purported violations being made at the instance of the contemner concerned, vis-a-vis the order (supra) passed by this Court,



thereupon the said action is permissible to be drawn against the contemner concerned, and rather is not permissible to be drawn against the estate left behind by him, which may be represented by his LR’s. In consequence, thus on the demise of the contemner-appellant in CACP NO. 11-2008, the contempt appeal (supra), is required to be declared to become abated and/or is required to be declared to become rendered infructuous.

3. In consequence, the said contempt appeal is so declared.

(SURESHWAR THAKUR)
JUDGE

21.08.2024
G Arora

(SUDEEPTI SHARMA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>