



COCp-1894-2018

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

(207)

COCp-1894-2018

Date of Decision: 17.09.2024

Mohammad Illiyas

.....Petitioner

Versus

Rahimn Dad

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Shivani Sharma, Advocate, for the petitioner.

Ms. J. S. Hooda, Advocate, for the respondent.

HARKESH MANUJA, J.(ORAL)

1. By way of present petition filed under Section 12 of the Contempt of Courts Act, 1971, prayer has been made for initiating contempt proceedings against the respondent for willful non-compliance of the Order dated 15.02.2005 passed by this Court in CM-253-C-2005 in RSA-2930-2004.

2. Learned counsel for the respondent submits that the mortgage qua the suit property has been undone and the requisite document in this regard shall be forwarded to the petitioner within a period of 3 weeks from today.

3. In view of the aforesaid undertaking, learned counsel for the petitioner does not press the present petition at this stage and submits that the same be disposed of with liberty to revive the same in case needful is not done.

4. Ordered accordingly.

5. However, in case the needful is not done within the aforementioned period, as per the undertaking, the petitioner would be at

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liberty to seek revival of the contempt petition and in that eventuality, the respondent would be liable to pay additional sum of Rs.50,000/- as costs from his own pocket in favour of the petitioner towards litigation expenses, immediately, i.e. on the first date of listing of revival application.

6. Rule stands discharged.

(HARKESH MANUJA)
JUDGE

17.09.2024
anil

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