

COCP-1543-2024

2024:PHHC:062789



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

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COCP-1543-2024

Date of decision: 06.05.2024

NISHAN SINGH (DECEASED) THROUGH ITS LR

...Petitioner

Versus

VIRENDER GILL AND OTHERS

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Jatin Bansal, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (Oral)

1. This is a contempt petition filed under Article 215 of the Constitution of India read with Section 2(b) and 12 of the Contempt of Courts Act, 1971, for punishing respondents No.1 to 5 for disobeying the order dated 06.09.2022 passed in CR-1631-2021.

2. It is submitted by learned counsel for the petitioner that the trial Court had granted the injunction in favour of the petitioner in civil suit No.2509/2019, however, that order of interim injunction was modified by the Appellate Court. But the order of the Appellate Court has been set aside by this Court, vide order dated 06.09.2022 and while remanding the matter to the trial Court, this Court had issued directions to the trial Court to decide the suit within 02 months; with a further direction that in the meantime, the parties shall maintain status quo. However, now the respondents have executed the sale deed qua the property in question, and thereby, have

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violated the order of this Court. Accordingly, it is submitted by learned counsel for the petitioner that since the suit itself has not been decided, therefore, the order of status quo would continue till the decision of the suit by the trial Court.

3. Since this Court, vide order dated 06.09.2022, specifically directed the trial Court to decide the suit and had ordered the parties to maintain status quo in the meantime, therefore, the intention behind the order of this Court was clear that the interim order would continue for a period of 02 months, further subjecting the matter to the contingency of the proceedings of the trial Court. Therefore, this Court cannot entertain the contempt petition after about 01 year and 08 months of the date of passing of the order of this Court.

4. In view of the above, the present petition is dismissed.

5. However, the petitioner would be at liberty to avail any other alternate remedy, but in accordance with law.

06.05.2024

parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No