



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

COCN No.1463 of 2022 (O&M)
Date of Decision: 13.05.2024

SUBHASH (SINCE DECEASED) THROUGH HIS LRS

.....Petitioner

Versus

SANTU

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. S.S. Nain, Advocate for the petitioner.

Mr. Rahul Jaswal, Advocate for the respondent.

RAJBIR SEHRAWAT, J. (ORAL)

1. This is a contempt petition filed under Section 12 of the Contempt of Courts Act, 1971 for initiating contempt proceedings against the respondent for disobeying the order dated 24.03.2022 passed in CWP-5963-2022.

2. Learned counsel for the respondent has submitted that the respondent has not demolished the shop as such. Moreover, there is no question of any contempt because the order of this Court was only for maintaining status quo regarding possession. Otherwise, the partition proceedings regarding the land in question are already pending before the Partition Authority. The respondent shall follow the decision of the Partition Authority. Moreover, since the land is joint, therefore, even the petitioner does not have any right to claim possession over any specific portion of the joint land.

3. Learned counsel for the petitioner has not even disputed that there is no disturbance to the possession as such.



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4. In view of the above, this Court does not find any ground to continue with the present petition any more.

5. Dismissed.

6. However, the parties would be at liberty to raise their respective pleas before the Partition Authority, where the matter is still stated to be pending.

(RAJBIR SEHRAWAT)
JUDGE

13.05.2024
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No