

2024:PHHC:007154

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

254

COCp-2846-2023 (O & M)
Date of decision: 18.01.2024

VIMAL WADHWA AND ANR.

...Petitioners

Versus

S K DHAWAN & OTHERS

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Ankit Aggarwal, Advocate for
Mr. Sahil Khunger, Advocate,
for the petitioners.

Mr. Puneet Sharma, Advocate,
for respondents No.1 and 2.

Mr. Rozer Kumar Aggarwal, AAG, Punjab.

RAJBIR SEHRAWAT, J. (Oral)

CM-947-CII-2024

1. Allowed as prayed for. Reply alongwith annexures R-1/1 to R-1/4 is taken on record.

COCp-2846-2023

2. This is a contempt petition filed under Sections 10 and 12 of the Contempt of Courts Act, 1971, for punishing the respondents for disobeying the order dated 19.09.2022 passed in CWP-21468-2022.

3. Perusal of the reply filed on behalf of respondents No.1 and 2 shows that the petitioner had not even deposited the requisite amount within the time granted by this Court. However subsequently, the petitioner deposited the amount more than the one ordered by this Court. As a result, the property measuring 152 square yards has already been released by respondents No.1 and 2.

4. In view of the above, the present petition does not survive any more.
5. Dismissed.
6. However, if any grievance of the petitioners is left un-addressed, they would be at liberty to raise the same in any other alternate remedy, but in accordance with law.

CM-948-CII-2024

7. This is an application under Section 151 CPC seeking permission to proceed further under SARFASI Act, 2002, to take the possession of the residential property bearing House No.193/12 Kartar Nagar, Ludhiana, in furtherance of letter dated 25.09.2023 (Annexure R-1/1) and order dated 05.02.2021 (Annexure R-1/2).
8. Counsel for applicant/respondents No.1 and 2 seeks permission to withdraw the present application for the reason that the main petition has already been decided.
9. Dismissed as withdrawn.

18.01.2024
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No