



(201)

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

COCP-177-2016 (O&M)

Date of decision:- 09.07.2025

Surjit Singh

...Petitioner(s)

Versus

Jarnail Singh and others

...Respondent(s)

CORAM: **HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE**

Present:- Ms. Nisha Rana, Advocate,
for the petitioner.

Mr. Himmat Singh Sidhu, Advocate,
for respondent No. 4.

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SHEEL NAGU, C.J. (ORAL)

1. This Contempt Petition arises out of non-compliance and willful disobedience of the interlocutory order dated 22.01.2004 (Annexure P-1) passed by this Court in RSA-3007-2001, where the restraint order was made to the following effect:-

“Contends that Balihar Singh had suffered a decree dated September 9, 1991 and accordingly the plaintiff had acquired the ownership of the suit land. Thereafter Balihar Singh was not the owner of the suit land any more and without challenging the decree and acquiring the suit land all over again, the suit land could not have been transferred in favour of defendants No. 1 and 2.

Admitted.

Status quo regarding possession be maintained till further orders.

However, it is made clear that none of the parties to the appeal shall alienate the property in dispute, except with the prior permission of the court, during the pendency of this appeal.”

2. From the above, it is obvious that the restraint order was against both the parties which stopped them from alienating the property in dispute.
3. The contention of the petitioner is that due to uprooting of eucalyptus trees standing on the suit property contempt has been committed.
4. The order, which is alleged to be not complied with, does not describe the suit property in specific terms, whether it is only the land or the land alongwith trees standing on it.
5. In view of above and since no inferential interpretation is permissible for invoking contempt jurisdiction, no case for drawing contempt is made out.
6. This Court, thus, declines to proceed ahead in this matter as no willful disobedience is made out.
7. However, the aforesaid findings would not affect the main case i.e. RSA-3007-2001.
8. The Contempt Petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

09.07.2025

Amodh Sharma

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