

102-2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-446-2022(O&M)

Date of decision :17.11.2025

Banti @ Lajwanti

...Petitioner

Versus

Sarwan Ram and others

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Naresh Jain, Advocate (through Video Conferencing),
for the petitioner.

Ms. Sehaj, Advocate,
for Mr. Amitabh Tewari, Advocate,
for respondent Nos.1 & 2.

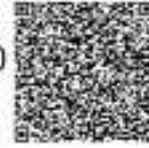
HARPREET KAUR JEEWAN, J. (Oral)

1. The instant petition has been filed for initiation of contempt proceedings against the respondents for alleged intentional and willful disobedience of the interim order dated 07.02.2008 (Annexure P-1), passed by the then Coordinate Bench of this Court in RSA-405-2008.

2. It is alleged by learned counsel for the petitioners that despite the aforesaid orders, the respondents are trying to take forcible possession of the suit land.

3. I have considered the aforesaid submissions and perused the paper-book.

4. Admittedly, the Regular Second Appeal No.405-2008 was dismissed for non-prosecution vide order dated 11.11.2024, however, in an application (CM-11778-C-2024) filed for restoration of the same,



the following order was passed by the Coordinate Bench on 11.02.2025:-

“Notice of the application be issued to non-applicants/respondents for 25.02.2025, the date already fixed.

In the meantime, parties shall maintained status quo regarding possession as well as alienation of the suit property as per order dated 07.02.2008 earlier passed in main appeal.”

5. As such, the matter is still pending for adjudication and would require recording of the evidence to conclude as to whether the interim order dated 07.02.2008 has been violated by the respondents despite having notice of the same.

6. The petitioners have an alternate remedy to approach the Civil Court under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908.

7. In view of the above facts and circumstances and the decision by the larger Bench dated 14.10.2024 in CACP-20-2016, titled as **Rajbir and others Vs. Raj Singh (since deceased) through LRs,** present petition is disposed of with liberty to the petitioners to avail appropriate alternative remedy, as per law.

8. Rule stands discharged.

9. Pending miscellaneous applications, if any, shall stand disposed of.

17.11.2025

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[HARPREET KAUR JEEWAN]
JUDGE

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No