



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COC-1102-2026(O&M)
Date of decision: 06.04.2026

Central Bank of India

... Petitioner

Versus

Ajay Singh Tomer

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Ravisha Mahajan, Advocate, for
Mr. Ravi Bhupinder Mahajan, Advocate,
for the petitioner.

Mr. Tarun Aggarwal, Addl. AG, Haryana.

VIKRAM AGGARWAL, J. (ORAL)

The instant contempt petition alleges willful disobedience of the directions issued vide order dated 19.01.2026 (Annexure P-1), passed in CWP-912-2026. By way of the said order, the respondents were directed to execute the order dated 14.09.2023, passed by the Court of District Magistrate, Ambala. The said order dated 14.09.2023 has been placed on record as Annexure P-2, which gives the description of mortgaged property in question:-

“All Types of land and building measuring 1006 Sq. Yards i.e. 01K-13M being 33/160 share out of land measuring 08K-00M bearing Khasra No. 13/12 situated at Vaka Rakha Mandhour Ambala City owned by Smt. Manju Aggarwal W/o Mr. Naresh Aggarwal vide sale deed No. 1805 dated 20.05.2005.”

2. In a comprehensive affidavit of Naib Tehsildar, Ambala Cantt., filed on behalf of respondent No.2 in the Registry, it has been stated as under:-

“4. That at the very outset, it is most respectfully submitted that the District Magistrate, Ambala order explicitly directs for possession in khasra No. 13//12,



Mauja Mandaur, Tehsil Ambala Cantt District Ambala owned by Smt. Manju Aggarwal w/o Sh. Naresh Aggarwal. As per the revenue record, the loan entry of Bank has also been entered in Khasra No. 13//12, in Khewat No. 323 of the jamabandi for the year 2019-2020. But the petitioner bank insisted on taking possession of a nearby factory. Accordingly the property/factory as shown by bank was identified by the Patwari and Halka Kanungo and as per the Patwari & Kanungo report, the said property/factory is in khasra No. 13//19/3 & not in khasra No. 13//12. Smt. Manju Aggarwal w/o Sh. Naresh Aggarwal is neither absolute owner or a co-sharer in khasra No. 13//19/3, Mauja Mandaur District Ambala. Hence, the property identified by the Bank is completely different from description of Mortgaged property/secured asset as described in the District Magistrate, Ambala order.

5. That the petitioner bank officials were requested to take possession of the secured property. But Bank officials did not take possession of the property comprised in khasra No. 13//12 Mauja Mandaur District Ambala as described in District Magistrate Order.

6. That in compliance of the directions of the Hon'ble Court dated 12-03-2026, the Sh. Varun Kumar, Chief Manager and Sh. Saurabh Kumar, Senior Manager, Central Bank of India, came at site and the identification of khasra No. 13//12 was done. The secured asset khasra No. 13//12. Mauja Mandour, Tehsil Ambala Cantt District Ambala identified by the officials of the Petitioner Bank is in khasra No. 13//19/3. But the officials of the petitioner Bank refused to take the possession of the secured asset of khasra No. 13//12, Mauja Mandour, District Ambala and again insisted to take possession of factory situated in khasra No. 13//19/3 and as such the possession proceedings could not be completed due to discrepancy in



the secured asset, as detailed above. (Copy of Annexure R-1/1, R-1/2,R-1/3 is annexed here with respectively).”

3. Learned counsel for the petitioner, however, submits that when the property had been mortgaged, there was no objection as regards taking over possession of the property, which the petitioner now wants to take and it is only now that the said objection has been raised.
4. Such disputed questions cannot be entertained by a Contempt Court. Accordingly, the instant contempt petition is dismissed. However, the petitioner may, if so advised, avail all such remedies as shall be admissible in law.
5. Pending application(s), if any, also stands disposed of.

(VIKRAM AGGARWAL)
JUDGE

April 6, 2026
Rajan

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No