



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(212)

COCP-5369-2025

Date of decision: - 16.03.2026

Ashok Kumar Thakur

....Petitioner

Versus

Shiv Kumar

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sandeep Bansal Advocate, and
Ms. Nishtha, Advocate
for the petitioner.

Mr. Dinesh Nagar, Advocate
for the respondent.

VIKAS BAHL, J. (ORAL)CM-277-CII-2026

1. Present application has been filed under Order 22 Rule 3 CPC read with Section 151 CPC for bringing on record legal representatives of petitioner.
2. For the reasons mentioned in the application, which is duly supported by an affidavit, the same is allowed, subject to all just exceptions and the persons detailed in para No.2 of the application are ordered to be impleaded as legal representatives of the petitioner. The amended memo of parties is taken on record.
3. It is clarified that this Court has not adjudicated upon the right of the estate of petitioner and the LRs have been impleaded only to



pursue the present petition.

COCP-5369-2025

1. Present contempt petition has been filed under Section 2 read with Section 12 of the Contempt of Courts Act read with Article 215 of the Constitution of India praying for punishing the respondent for willfully and intentionally not complying with the undertaking dated 15.02.2025 given by him before the Executing Court in pursuance of the order dated 05.02.2025 passed by this Court in CR-5374-2024.

2. On 03.11.2025, this Court was pleased to pass the following order: -

*“Present: Mr.Sandeep Bansal, Advocate
for the petitioner.*

Learned counsel for the petitioner has submitted that in spite of the respondent Shiv Kumar having given an undertaking before this Court on 05.02.2025 that he would pay the arrears of rent within a period of two months and would vacate the premises on 05.09.2025, neither he has vacated the premises on 05.09.2025 nor has paid the arrears of rent and even the amount of Rs.1000/- per month from the month of February, 2025 has not been paid to the petitioner. It is argued that the respondent has violated his undertaking dated 05.02.2025 and it is only in the execution proceedings, the petitioner has taken the possession from the respondent.

Notice of motion to the respondent for 27.11.2025 to show cause as to why contempt proceedings should not be initiated against him.

To be taken up the urgent list.

November 03, 2025”



3. On 22.12.2025, learned counsel for the respondents had sought an adjournment to get instructions in the matter. On 13.01.2026, again time was sought to get instructions in the matter. On 27.01.2026, this Court was pleased to pass the following order: -

*“Present:- Mr. Sandeep Bansal, Advocate
for the petitioner.*

*Mr. Dinesh Nagar, Advocate
for the respondent.*

Learned counsel for the petitioner has submitted that an amount of Rs.10,66,750/- is due against the respondent on account of arrears of rent as well as mesne profits.

Learned counsel for the respondent prays for an adjournment to show the receipts vide which the respondent has paid the rent/mesne profits.

Adjourned to 23.02.2026.

January 27, 2026”

4. Learned counsel for the respondent has submitted that the respondent was bitten by a snake and was not keeping good health and it is for the said reason that he did not hand over the possession immediately on 05.09.2025 and ultimately the possession was handed over on 11.09.2025 and for the said act of his as well as for the inconvenience caused to the petitioner, the respondent is ready to pay an amount of Rs.20,000/- as compensation to the petitioner on the next date of hearing fixed before the Executing Court. It is further submitted that a perusal of the order passed by this Court of which the contempt is alleged, there was no direction to pay mesne profit.



5. Learned counsel for the petitioner has submitted that in view of the same, the present contempt petition be disposed of but the respondent be directed to pay an amount of Rs.20,000/- as compensation on the next date of hearing before the Executing Court. It is further submitted that the petitioner be permitted to pursue his right to receive mesne profits.

6. Keeping in view the above-said facts and circumstances, the present contempt petition is disposed of. As undertaken before this Court, the respondent would deposit an amount of Rs.20,000/- as compensation on or before the next date of hearing before the Executing Court which amount would be released to the petitioner.

7. It is made clear that the said amount would not be construed as part of the rent or arrears of mesne profits and is by way of compensation to the petitioner. It would be open to the petitioner to pursue his right to seek mesne profits and other amounts and it would also be open to the respondent to raise all pleas as are available to him in law.

March 16, 2026
naresh.k

(VIKAS BAHL)
JUDGE

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