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

COCP-4420-2025 (O&M)

Date of Decision : 01.09.2025

ROHTASH AND ANR

.... Petitioners

VERSUS

SAJJAN KUMAR

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mani Ram Verma, Advocate for the petitioners.

ALKA SARIN, J. (ORAL)

1. The present contempt petition has been filed under Sections 10 and 12 of the Contempt of Courts Act, 1971 alleging violation of the order dated 24.05.2024 (Annexure P-5) passed by this Court in RSA-75-1999.
2. Brief facts may be noticed. In the present case the plaintiff had filed a suit being Civil Suit No.715 dated 07.08.1985 for possession which was dismissed vide judgment and decree dated 11.11.1995. The decree sheet prepared was that the suit was ordered to be dismissed with costs. Aggrieved by the same an appeal was preferred by the plaintiff which was also dismissed by the First Appellate Court vide judgment and decree dated 23.02.1998. Still aggrieved, a Regular Second Appeal being RSA-75-1999 was filed before this Court which was dismissed for non-prosecution vide order dated 24.05.2024 passed by this Court. Subsequently, an application was filed by the petitioner herein for sanctioning of mutation as per the decision of the Civil Court. The said application was dismissed vide order dated 17.03.2025.

3. The learned counsel for the petitioner would contend that the judgment and decree passed by the Civil Court has not been complied with hence the respondents are guilty of contempt.

4. I have heard the learned counsel.

5. In the present case the petitioners were the defendants in the civil suit. The decree passed was dismissing the suit of the plaintiff. It is not a case where a counter claim was filed by the defendants which was allowed. In the absence of any decree in favour of the petitioners, the petitioners possibly cannot allege contempt of the decree passed by the Civil Court.

6. In view of the above the present petition being devoid of any merit is dismissed. Pending applications, if any, also stand disposed off.

01.09.2025
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No