



CR-5288-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CR-5288-2025 (O&M)**Date of Decision:07.08.2025**

Harvinder Singh

... Petitioner

Versus

Parminder Kaur and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AMARINDER SINGH GREWALPresent: Mr. Vishal Goel, Advocate
for the petitioner.

AMARINDER SINGH GREWAL, J. (ORAL)

1. The present revision petition has been preferred by the petitioner under Article 227 of the Constitution of India seeking setting aside of the impugned order dated 19.09.2024 (Annexure P-4) passed by the learned Civil Judge (Junior Division), Patiala in CIS No.CM/178 of 2023 titled as *Parminder Kaur and others Vs. Harvinder Singh and another* whereby defence of the petitioner has been struck off.

2. Learned counsel for the petitioner submits that since the contesting respondents compromised the matter with the proforma respondent in another execution application bearing No.EXE/183/2023 and withdrew the same, they assured the petitioner that they will withdraw the execution application as well as contempt petition filed against the petitioner as well. It is in this eventuality, the petitioner did not pursue the execution application as well as the contempt petition. However, respondents with a *mala fide* intention to grab the property of the petitioner have continued with the execution application as well as the contempt petition. It is further submitted that if the impugned order dated 19.09.2024 is not set aside, the petitioner will be grossly prejudiced.

3. Heard.



4. Respondents had filed a civil suit for declaration to the effect that sale deed bearing vasika No.1014 dated 22.03.2018 in favour of petitioner herein and others is illegal, wrong and not binding on their rights and thus, liable to be set aside qua the dimensions as mentioned in the sale deed. In the said suit, the compromise was effected and, accordingly, award was passed on 11.02.2023. Since the present revisionist Harvinder Singh son of Amrik Singh had not adhered to the award dated 11.02.2023, contesting respondents herein moved an application under Section 2 of the Contempt of Courts Act, 1971 for taking action against the petitioner and one Harjinder Singh Dhillon for willful disobedience of award/decreed dated 11.02.2023 passed in Civil Suit No.2047 of 2018 titled as *Parminder Kaur and others Vs. Avtar Singh and others* wherein notice was issued and the petitioner appeared through his counsel, however, the interim order dated 19.09.2024 passed by the learned Civil Judge (Junior Division), Patiala shows that neither the reply was filed nor costs was paid, despite direction and as such, defence of the petitioner was struck off. Since the present petitioner himself is a wrong doer, as he never complied with the award dated 11.02.2023 nor he filed the reply to the contempt application and deposited costs as directed, this Court is of the opinion that the learned trial Court is justified in striking off the defence of the petitioner in CIS No.178 of 2023 titled as *Parminder Kaur and others Vs. Harvinder Singh and another*.

3. Consequently, the impugned order dated 19.09.2024 passed by the learned trial Court is affirmed and the instant petition stands dismissed.

(AMARINDER SINGH GREWAL)
JUDGE

August 07, 2025
Pankaj*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No