



SAO-37-2024(O&M)

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

SAO-37-2024(O&M)

Date of decision:25.03.2025

Rajiv Kumar and others

..Appellants

Versus

Shanti

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.K.S.Dadwal, Advocate for the appellants

Mr. Ashish Gupta, Advocate for the respondent

ANIL KSHETARPAL, J. (Oral)

1. The parties to this litigation are closely related. Respondent Shanti is paternal aunt of appellants no.1 and 2. Shanti filed the suit for permanent injunction in which temporary injunction order was passed on 12.06.2014. She complained wilful violation on the part of the appellants by filing an application under Order XXXIX Rule 2 A of the Code of Civil Procedure, 1908. Both the courts ordered imprisonment of appellants no.1 and 2 for a period of one month.

2. It is alleged by Shanti (respondent) that she has been informed by Harbhajan Singh that appellant no.1 and 2 have harvested the crops sown by her. Ultimately, the suit filed by Shanti was decreed.

3. The appellants have undertaken not to interfere in the possession of Shanti. It has been stated by the appellants' counsel that

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Shanti has already sold her property on 19.08.2019 and delivered the possession to the purchasers.

4. Keeping in view the aforesaid facts, it would not be appropriate to send the appellants to the prison at this stage. Hence, the impugned orders passed by the courts below are set aside. Direction is issued to close the file.

5. Accordingly, the appeal stands disposed of.

6. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

25.03.2025

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No