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

COCP-4537-2025 (O&M)

Date of Decision : 25.09.2025

M/S ELOFIC INDUSTRIES (INDIA)

.... Petitioner

VERSUS

GOBIND KAUR (SINCE DECEASED) THR LRS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Najar Singh, Advocate and
Mr. Navmohit Singh, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

1. The present petition has been filed under Section 12 of Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India for initiation of contempt proceedings against the respondents for violation of the order dated 26.04.2017 passed by this Court in civil revision being CR-2968-2017.

2. Learned counsel for the petitioner would contend that the back wall of the premises in dispute had been demolished by the respondent-landlord and as such rendering the building unfit and unsafe for use. It is further the contention of the learned counsel that the act of demolition amounts to partial ouster of the petitioner-tenant.

3. Heard.

4. In Civil Revision being CR-2968-2017, on 26.04.2017 the following stay order was passed :

'xxxxxxxx'

In the meantime, dispossession shall remain stayed subject to the petitioner depositing all the arrears of rent by 31.05.2017 with the Rent Controller, Faridabad and shall continue paying rent before the Rent Controller by 7th of each month, failing which the interim protection granted shall automatically stand vacated'.

A perusal of the photographs appended with the application being CM-19657-CII-2025 reveal that the shop in question and the one adjoining the shop in dispute appear to be in a dilapidated condition. There is no evidence that the demolition was carried out by the respondent-landlord. In any case the same would not amount to dispossession. It is not disputed that the petitioner-tenant is still in possession of the suit property. The petitioner, for reasons best known to it, has chosen not to file any application in the civil revision being CR-2968-2017 bringing the said facts on the record.

5. In view thereof, it cannot be said that there is any willful violation of the order dated 26.04.2017. The contempt petition is accordingly dismissed.

6. Needless to say, the petitioner-tenant would always be at liberty to avail the remedies as available in law.

25.09.2025
Aman Jain

(ALKA SARIN)
JUDGE

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