



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

204

COCP-150-2022

Date of Decision: 13.10.2025

M/s Jain Rice Mill

.... Petitioner

Versus

Gurleen Kaur and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. GN Malik, Advocate for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

Mr. Ginnijeet Malhotra, Advocate
for respondents No. 4 and 5.

NIDHI GUPTA, J. (ORAL)

1. The present petition has been filed alleging violation of order dated 19.02.2021 (Annexure P-6) passed by the learned Civil Judge (Junior Division), Samana, District Patiala, wherein it is directed as follows:-

“Vide separate statement of defendants recorded on the last date of hearing that they will not illegally interfere in the suit property mentioned in the plaint and that they have no concern with the suit property.

In these circumstances, there remains no issue between the parties as the suit filed by the plaintiff was with regard to permanent injunction for restraining the defendants from interfering in his possession and from dispossessing him forcibly from the suit property. As such, in view of the statement of defendants, the present suit stands dismissed there being no issue between the parties. Defendants shall remain bound with their statement. File be consigned to the record room.”

2. It is submitted by learned counsel for petitioner that in violation of the order reproduced above, the defendant/respondents No. 4 and 5 are interfering in the possession of the petitioner.



3. Learned counsel for respondents No. 4 and 5 very strongly refuted the submissions of learned counsel for the petitioner and submits that first and foremost, defendant-respondents No. 4 and 5 are not interfering in the possession of the petitioner over the property in dispute. Further, learned counsel undertakes that in any event even in future also, there shall be no interference by the defendant-respondents No. 4 and 5 in the possession of the petitioner. Learned counsel for defendant-respondents No. 4 and 5 relies upon judgment of the Hon'ble Apex Court in **(i) Kanwar Singh Saini vs. High Court of Delhi, Law Finder Doc Id # 270890; (ii) of this Court in Bhalla and others vs. Ram Singh and others, Law Finder Doc ID # 44220; and (iii) of Allahabad High Court in Greats Art Trading Corporation vs. Mushahid Hussain, Law Finder Doc IC # 16602838;** to submit that the present Contempt Petition is not maintainable; and in case, there is any violation of order dated 19.02.2021 (Annexure P-6), the appropriate remedy available to the petitioner is under Order XXXIX Rule 2A CPC.

4. In view of the above, learned counsel for the petitioner submits that he may be permitted to withdraw the instant petition.

5. Permitted to do so.

6. Dismissed as withdrawn.

7. Rule stands discharged.

8. Pending application(s), if any, shall also stand disposed of.

13.10.2025

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No