

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civ. Contempt Pet. No. 32/2021

1. Lrs Of Ashok Kumar, Appellant No.1 Expired On 16.4.2021 Through-
2. Vimla Devi W/o Late Ashok Kumar, Aged About 65 Years, B/c Arora, R/o 27 Gg Teh And Dist. Sri Ganganagar.
3. Amit Taneja S/o Late Ashok Kumar, Aged About 40 Years, B/c Arora, R/o 27 Gg Teh And Dist. Sri Ganganagar.
4. Vinit Taneja S/o Late Ashok Kumar, Aged About 35 Years, B/c Arora, R/o 27 Gg Teh And Dist. Sri Ganganagar.
5. Smt. Shakuntala Devi W/o Late Jagdish Chand, Aged About 61 Years, B/c Arora
6. Rajeev Kumar S/o Late Jagdish Chand, Aged About 43 Years, B/c Arora
7. Sanjeev Kumar S/o Late Jagdish Chand, Aged About 41 Years, B/c Arora
8. Ritu D/o Late Jagdish Chand, Aged About 37 Years, B/c Arora, Appellants No.2 To 5 All R/o 27 Gg Tehsil And Dist Sri Ganganagar

----Petitioners

Versus

1. Labh Singh S/o Late Guga Singh, B/c Bawari
2. Nanak Singh S/o Late Guga Singh, B/c Bawari
3. Darshan Singh S/o Late Guga Singh, B/c Bawari
4. Laxmi D/o Late Guga Singh, B/c Bawari, All R/o Chak 11-G Chhoti Tehsil And Dist Sri Ganganagar

----Respondents

For Petitioner(s)	:	Mr. Sanjay Mathur Mr. Vibhor Sharma
For Respondent(s)	:	Ms. Tania Chugh for Mr. Himmat Jagga

HON'BLE MS. JUSTICE REKHA BORANA

Order

08/09/2025

1. The present contempt petition has been filed alleging disobedience of order dated 27.08.2013 passed on the stay

application as filed on behalf of the appellants in *S.B. Civil First Appeal No.45/2013*.

2. Vide order dated 27.08.2013, the Court while disposing of the stay application directed the appellants to pay Rs.55,000/- per annum as mesne profit to the respondents and the parties were directed to maintain status quo regarding the property in dispute till the final disposal of the first appeal. It was further directed that on the non-payment of the mesne profit, the order shall *ipso facto* stand annulled. Further the respondents were directed to file an undertaking before the trial Court to the effect that if the appellants succeed in the appeal, they would be under an obligation to refund the amount received by them qua mesne profit.

3. Counsel for the appellants submits that no default, whatsoever, was committed by the appellants and mesne profit, as directed vide order dated 27.08.2013, was deposited. He submits that the said amount was even received by the respondents. However, the respondents, in total disobedience of order dated 27.08.2013, proceeded on to sell out the land in question to one Himanshu Singh son of Kartar Singh vide sale deed dated 06.06.2021 (registered on 07.06.2021).

4. Copy of the sale deed has been annexed along with the present contempt petition.

5. After the service been complete on respondents No.1 to 3, they are being represented by counsel.

6. Despite several opportunities been granted to counsel for the respondents, no reply to the contempt petition has been filed till date. On 22.08.2025 when none was present for the respondents,

the Court adjourned the matter to 26.08.2025 with a specific stipulation that no further adjournment would be granted.

7. On 26.08.2025, counsel for the respondents prayed for last opportunity to complete his instructions and hence, the matter was directed to be listed on 08.09.2025 i.e. today.

8. Ms. Tania Chugh appearing on behalf of Mr. Himmat Jagga submits that the counsel is not in receipt of any further instructions from the respondents. However, she has not pleaded 'no instructions' on behalf of the respondents.

9. In view of the above facts, this Court is of the clear opinion that a willful disobedience of order dated 27.08.2013 has been made by the respondents in executing the sale deed in favour of a third party.

10. Let the presence of respondents No.1 to 4 be ensured on the next date vide a bailable warrant to be issued to them for 25.09.2025.

11. The respondents shall, on that date, be under an obligation to submit as to why the punishment be not imposed against them for the disobedience of the orders of the Court and further as to why sale deed dated 06.06.2021 be not ordered to be cancelled.

(REKHA BORANA),J