



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.516 OF 2026

IN

REVIEW PETITION IN CRA NO.13 OF 2024

Harjit Kaur Onkar Singh Kalra & Ors. ...Petitioners

Versus

Rose Venkateshan V Alias Rose Kumar & Ors. ...Respondents

Mr. Prathmesh Seth a/w Trupti Gosavi & Harshit Waje, for the
Petitioners.

Mr. Omprakash Pandey a/w Pramila Prajapati, for the
Respondents.

CORAM: MADHAV J. JAMDAR, J.

DATED : 27th OCTOBER 2026

PC:-

1. This Court by order dated 23rd October 2026 directed that
Respondent Nos.2 to 7 shall remain present in this Court and
recorded the conduct of the Respondent Nos.2 to 7. The said order
dated 23rd October 2026, reads as under :-

1. Mr. Pandey, learned Counsel appearing for Respondent
Nos.4 to 7 seeks time to file affidavit in reply.

2. Let such affidavit in reply be filed on or before 26th
October 2026.

3. It is the submission of Mr. Seth, learned Counsel
appearing for the Petitioners that one Onkar Singh Karla

was the owner of the property and one Tarlok Singh Thukral was the tenant. Said Onkar Singh Karla filed L.E. Suit No.83/110/2009 in the Small Causes Court and the said Suit has been decreed by the Judgment and Decree dated 6th July 2018. During the pendency of the Suit, said Tarlok Singh Thukral passed away and his sons i.e. Jaspal Singh Thukral and Gurmit Singh Thukral were brought on record as his legal heirs and representatives. The Appeal challenging the said Judgment and Decree dated 6th July 2018, was also dismissed on 4th October 2021. The Civil Revision Application challenging the same has also has been dismissed by a learned Single Judge by order dated 23rd July 2024. The Review Petition challenging the same also has been dismissed by the learned Single Judge by order dated 7th October 2024.

4. Mr. Seth, learned Counsel appearing for the Petitioners states that thereafter said decree has been executed on 17th April 2025. He submits that decree has been executed against Jaspal Singh Thukral and Gurmit Singh Thukral and thereafter, said Respondent Nos.2 and 3 and their family members have again entered the Suit property.

5. Mr. Pandey, learned Counsel appears for Respondent Nos.4 to 7.

6. Respondent No.4 is the wife of Judgment Debtor No.1(b)- Gurmit Singh Thukral and Respondent Nos.5, 6 and 7 are their children.

7. This case again reiterates what the Privy Council¹ had said about 150 years ago, in the context of execution of Decrees, that the difficulty of the litigants in India starts after getting the decree. This case has gone one step further. In this case, even after execution of the decree, difficulty of the Decree Holder has not stopped and after execution of the decree, the Respondent Nos.2 to 7 have again entered the property.

¹ 1872 SCC OnLine PC 16

8. Thus, *prima facie*, I am satisfied that Respondent Nos.2 to 7 have interfered with the administration of justice.

9. Respondent Nos.2 to 7 shall remain present in this Court on the next date i.e. on 27th October 2026.

10. It is made very clear that if these Respondents fail to appear in this Court, then this Court will be constrained to issue Non-Bailable Warrant against them.

11. Stand over to **27th October 2026 at 01:30 p.m..**

2. Today, the Respondent Nos.3 to 7 are personally present in this Court and they state that they are in possession of the subject property and they will hand over the possession to the Petitioners on 29th October 2026.

3. However, as recorded in order dated 23rd October 2026, the facts of this case are very shocking, a Suit is filed in the year 2009 by the landlord i.e. Petitioners against gratuitous Licencee and the said Suit has been decreed by Judgment and Decree dated 06th July 2018. The said Decree has been challenged in the Appeal which was dismissed on 04th October 2021. Thereafter, the Civil Revision Application challenging the same also has been dismissed by the learned Single Judge by order dated 23rd July 2024 by which order eight weeks time was granted to the Applicants in said Civil

Revision Application to vacate the suit premises and thereafter, Review Petition has been filed which was dismissed by the learned Single Judge by order dated 07th October 2024. Thereafter, the said Decree has been executed on 17th April 2025 and after execution of the Decree again these Respondents have entered in the possession of the subject property.

4. Thus, prima facie I am satisfied that the conduct of these Respondents amounts to interference in the administration of justice.

5. The Respondent Nos.3 to 7 state that possession of the subject premises will be handed over to the Petitioners on 29th October 2026 at about 07:00 p.m..

6. However, in the facts and circumstances, Court Receiver, High Court, Bombay is appointed who shall take symbolical possession by tomorrow i.e. on 28th October 2026 of the subject premises and the Court Receiver/Representative of Court Receiver shall remain present at 07:00 p.m. on 29th October 2026 when the Respondents shall hand over the possession to the Petitioners. If

such possession is not handed over on or before 07:00 p.m. of 29th October 2026, then the Court Receiver shall take physical possession of the subject premises and immediately hand over the same to the Petitioners. For the said purpose the Court Receiver is also permitted to take Police protection.

7. It is also required to be noted that the Respondent No.4-Minder Gurmit Singh Thukral in the Court has behaved in a wholly inappropriate manner, which also amounts to contempt of Court. For hearing this Contempt Petition with respect to the conduct of all the Respondents and also the conduct of Respondent No.5-Harpreet Singh Gurmeet Singh Thukral, Stand over to **30th October 2026 at 03:00 p.m..** All the Respondents shall remain present on the next date i.e. on 30th October 2026 at 03:00 p.m..

[MADHAV J. JAMDAR, J.]