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HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 200 of 2015**

1. Satyadarshan Yogashram (Regd. Society)
2. President- Swami Asheshanand Saraswati Satyadarshan Yogashram (Registered Society), Both are R/O Block-14, Plot No. 01, Civil Lines, Near Gandhi Udyan, G.E.Road, Raipur, Tah. & District Raipur, (Chhattisgarh), Pin 492001

---- Petitioners**Versus**

1. Bihar School Of Yoga (Regd. Society) R/O Gangadarshan, Under Kila Munger, Kotwali, Post & District- Munger (Bihar) Pin- 811201 Through- Aam Mukhtyar Swami Swayambhoo Nath Saraswati, Shishya – Late Shri Swami Satyanand Saraswati, R/o Satyanand Ashram, G.E.Road Rajnandgaon, Tahsil & District Rajnandgaon (C.G.) Through: Bihar School of Yoga, Ganga Darshan, Munger (Bihar) Pin 491441
2. State Of Chhattisgarh Through Vanijya Avam Udyog Vibhag, Through Special Secretary, Shri V.K. Chablani, R/O Mahanadi Bhawan Mantralaya, Thana Rakhi, Naya Raipur, Tah & District Raipur (C.G.)
3. State Of Chhattisgarh, Through Registrar, Firms Avam Sansthayen, R/O Chhattisgarh Vibhagadhyaksh Bhavan, Block-A, Tiritiya Tal, Naya Raipur, Thana Rakhi, Tah & District Raipur, (C.G.)
4. State Of Chhattisgarh Through Collector Shri Ramsingh Thakur, Raipur, District Raipur (C.G.)
5. State Of Chhattisgarh Through S.D.O. (Revenue), S.K. Agrawal, Raipur, Tah & District Raipur (C.G.)
6. Shri B.K. Agrawal @ Bipin Agrawal S/O Shri Trimbak Narayan Agrawal R/O 44/106, Barsar Bangale Ke Bajju, Rajkumar College Parisar, G.E.Road, Raipur (C.G.)
7. Smt. Lalita Dwadashi @ Lalita Rao W/O Shri D. Ravishankar Rao R/O F-14, Sichai Colony, Shanti Nagar, Raipur (C.G.)

---- Respondents

For Petitioners	: Shri Prakashjeet Jha, Advocate
For Respondent/State	: Shri Sunil Pillai, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board**19/03/2015**

1. This petition under Article 227 of the Constitution of India is preferred against the order passed by the Court where petitioners application under Order 39 Rule 2 A is pending consideration. By the impugned order, the Court below has considered the application under Order 1 Rule 10 of Code of Civil Procedure (for short, 'CPC') filed by respondent No.7/non-applicant No.7 and has observed that the temporary injunction granted in Civil Suit No.4-A/2011 is not operative against the said respondent No.7.
2. Admittedly, when the temporary injunction was granted by the trial Court the said respondent No. 7 was not arrayed as defendant in the suit. On the said date, the application seeking impleadment of respondent No. 7 was under consideration, therefore the said respondent No. 7 was not a party in the civil suit.
3. In the considered opinion of this Court, an order of temporary injunction is applicable and would operate against such parties who have been arrayed in the suit in accordance with law.
4. The Court below has not committed any illegality in observing that the temporary injunction is not operative against respondent No.7.
5. Petitioners, if they so desire, may make prayer before the trial Court for deciding the application for impleadment of respondent No. 7 at an early date and if such application is allowed, the petitioners would also be at liberty to move appropriate application seeking temporary injunction against the said respondent.
6. Accordingly, writ petition is dismissed subject to above observation.

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