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

**CR-2378-2013 (O&M)
Date of decision : 23.12.2015**

Manjit Singh and others

...Petitioners

Versus

Khardaman Rai

...Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Manu K. Bhandari, Advocate, Advocate
for the petitioners.

Mr. Sanjiv Gupta, Advocate
for the respondent.

AMIT RAWAL, J. (ORAL)

The petitioners-defendants are aggrieved of the orders passed by the Court below, allowing the application filed under Order 39, Rule 1 & 2 read with Section 151 CPC in a suit for specific performance whereby, the petitioners-defendants have been restrained from alienating the property, during the pendency of the suit and the appeal against the same had also

met with the same fate.

Mr. Manu K. Bhandari, learned counsel appearing on behalf of the petitioners-defendants submits that the suit filed in the year 2010, is at the stage of plaintiff's evidence and he is enjoying the stay order, whereas interim orders under challenge have seriously prejudiced the right of the petitioners-defendants. Even the provisions of Section 52 of the Transfer of Property Act, would apply in case the petitioners-defendants alienates the property during the pendency of the suit.

Mr. Sanjiv Gupta, learned counsel appearing on behalf of the respondent-plaintiff submits that in case the injunction order as granted by both the Courts below is vacated, serious prejudice would be caused to the respondent-plaintiff as it would amount to creating third party right, much less, protraction of the litigation.

I have heard the learned counsel for the parties and appraised the paper book.

The revision petition is of the year 2013 and for all this period, the injunction order granted by the trial Court had been in vogue. Since the respondent-plaintiff has taken much time in concluding the evidence, I am of the view that instead of pondering on the merit and demerit, viz-a-viz granting of the injunction, proposed to dispose of the petition by issuing a direction to the trial Court to expedite the disposal of the suit by

granting two effective opportunities to the respondent-plaintiff and four effective opportunities to the petitioners-defendants to conclude their evidence and decide the matter within a period of six months from the receipt of the certified copy of this order.

In view of the aforementioned observations, the revision petition stands disposed of.

23.12.2015
yogesh

(AMIT RAWAL)
JUDGE