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

CR No.2747 of 2015

Date of decision: July 17, 2015

Neeraj Kumar Latka and another

.....Petitioners

Versus

Suresh Kumar and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Rajinder Goyal, Advocate
for the petitioners.

SABINA, J

Petitioners have filed this petition challenging the order dated 28.01.2015, whereby, application moved by the petitioners for vacation of the order dated 19.07.2013, was dismissed.

Learned counsel for the petitioners has submitted that the petitioners were not aware that vide order dated 19.07.2013, they have been restrained from alienating the suit property or changing the nature of the suit land.

Respondent Nos.1 and 2 have filed suit for declaration and permanent injunction. Vide order dated 19.07.2013, application for temporary injunction was disposed of. Vide the said order, defendant Nos.1 to 3 were restrained from alienating the suit property or from changing the nature of the suit land in any manner. Petitioners are aggrieved by the part of the order, whereby, they were

restrained from changing the nature of the suit land. However, the petitioners did not avail the appropriate remedy of appeal to challenge the said order and filed the application for vacation of the said order. The learned trial Court rightly held that the said application was not maintainable as it could not recall the order dated 19.07.2013.

No ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

July 17, 2015
mahavir