

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

Civil Revision No. 2754 of 2015 (O&M)

Date of decision : 15.5.2015

Jaswinder Kaur and others

... Petitioners

VS

Dharminder and others

... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Satbir Rathore, Advocate, for the petitioners.

Rajesh Bindal, J.

Defendant nos. 1 to 3 are before this Court impugning the orders passed by the learned Courts below whereby in an application filed by the plaintiffs/ respondent nos. 1 and 2 under Order XXXIX Rules 1 and 2 CPC, status quo regarding possession was granted.

The suit was filed by respondent nos. 1 and 2/ plaintiffs for permanent injunction restraining the petitioners/ defendant nos. 1 to 3 from interfering in their possession. Both the courts below found that respondent nos. 1 and 2/ plaintiffs were put in possession of the property in terms of agreements dated 14.6.2001 and 1.7.2009, which bear signatures of defendant nos. 4 and 5. The document dated 1.7.2009 was sought to be disputed by the petitioners/ defendant nos. 1 to 3 claiming the same to be forged, however, the courts opined that the issue cannot be decided at the interim stage. The document, prima facie, establishes possession of the plaintiffs. Further in an application filed by defendant nos. 1 to 3, during the pendency of the appeal, their plea that even five years period as envisaged in the agreement dated 1.7.2009, has expired in 2014, hence, the right of the plaintiffs/ respondent nos. 1 and 2 to remain in possession has expired, was also considered and rejected by the courts below finding that possession of agricultural land given on rent cannot be sought in the manner it was being claimed by the defendants. The learned Courts below while balancing the

equities had merely granted status quo regarding possession, which cannot be faulted with.

There is no merit in the present petition. The same is, accordingly, dismissed.

15.5.2015
vs

(Rajesh Bindal)
Judge