

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 2530 of 2014 (O&M)
Date of decision: 7.7.2015

Arunjit Kaur and others

.. Petitioners

v.

Tejinder Singh Bittu and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Deepak Arora, Advocate for the petitioners.
Mr. Sandeep Khunger, Advocate for the respondents.

...

Rajesh Bindal J.

The petitioners have challenged the orders passed by the learned courts below, whereby the application filed by them under Order 39 Rule 2A CPC, was dismissed and the order was upheld in appeal.

It was claimed that there was violation of interim stay granted by the trial court on 1.3.1990, which was confirmed in appeal.

The learned courts below found that initially the interim stay was granted pertaining to 5-1/2 marlas of land. Later on, amendment application was filed. The plaint was amended. The area in dispute was increased from 5-1/2 marlas to 25-1/2 marlas, for which there was no interim order initially passed, hence, no violation to that extent could be alleged. It was further not disputed that finally the petitioners failed in litigation as the appeal bearing R.S.A. No.2208 of 2011—Smt. Arunjit Kaur and others v. Jalandhar Improvement Trust and others, wherein judgments and decrees of both the courts below in the suit filed by the petitioners and violation of the interim order passed therein, which is subject-matter of the present litigation, was dismissed by this court on

28.10.2014.

Considering the aforesaid factual matrix, I do not find any reason to interfere in the present petition.

Dismissed.

(Rajesh Bindal)
Judge

7.7.2015
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