

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

Civil Revision No.3085 of 2015

Date of decision: 07.05.2015

Anil Kumar Gulati

... Petitioner

versus

Smt. Pari Bai Gulati and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Ms. Garima Jindal, Advocate,
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ?No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (*Oral*)

The revision petition is against the order dismissing an application seeking for permission to install a gate on the main front premises stated to be in the plaintiff's possession. The petition is purported to be under Section 151 CPC. I treat this application only as an interim mandatory injunction in a pending suit and although presented under Section 151 CPC, it is in essence an application for interim order under Order 39 Rule 1&2 for interim mandatory relief. The proper remedy will be only by means of an appeal contemplated under Order 43 Rule 1 (r) CPC. The petition is dismissed but the petitioner will have the liberty of presenting an appeal against the

order. If such a presentation is made, neither the Registry nor the respondent will take any objection about the maintainability. Subject to these observations, the civil revision is disposed of.

(K.KANNAN)
JUDGE

07.05.2015
sanjeev