

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 3713 of 2015 (O&M)
Date of decision: 16.7.2015

Gurmail Singh

.. Petitioner

v.

Mohinder Singh

.. Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Gurinderjit Singh, Advocate for the petitioner.

...

Rajesh Bindal J.

Challenge in the present petition is to the orders passed by the courts below, whereby along with the suit filed by the respondent, in an application under Order 39 Rules 1 and 2 CPC, interim injunction has been granted.

It is not in dispute that parties to the litigation are co-sharers in the suit property. Partition proceedings are pending. The injunction granted is regarding use of passage which, even according to learned counsel for the petitioner, the petitioner is not obstructing. Learned counsel further did not dispute that the petitioner is not in the process of changing the nature of the land. Once that is so, the interim injunction granted by the courts below does not harm the interest of the petitioner in any manner.

Accordingly, the petition is dismissed.

(Rajesh Bindal)
Judge

16.7.2015
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