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

CR No.3760 of 2015

Date of decision: May 28, 2015

Gurdwara Sri Guru Arjun Dev Ji Parbandhak
Committee

.....Petitioner

Versus

Sukhmander Kaur and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Anupam Snigla, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the
order dated 16.04.2015.

I have heard learned counsel for the petitioner and
have gone through the record available on the file carefully.

Petitioner has filed suit for permanent injunction
restraining the defendants from interfering in the
management and affairs of the Shri Gurudwara Sahib.
Alongwith the suit, an application was filed by the petitioner
for appointment of receiver. Trial Court vide order dated
17.03.2015 allowed the said application and ordered for
appointment of the receiver. Respondents moved an
application under Order 7 Rule 11 of Code of Civil Procedure,
1908 for rejection of the plaint and the said application is still
pending. In appeal, the order passed by the trial Court was

set aside vide the impugned order. The learned Appellate Court rightly held that at this stage, receiver could not be appointed as first of all, it was required to be adjudicated as to whether, suit filed by the petitioner was maintainable in the present form or not. The reasons given by the Appellate Court while allowing the appeal and setting aside the order passed by the trial Court, whereby, receiver was appointed are sound reasons and call for no interference.

Dismissed.

**(SABINA)
JUDGE**

May 28, 2015

m.singh