

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT
CHANDIGARH

CR No. 4153 of 2015 (O&M)
Date of Decision: 06.07.2015

Charanjit Singh @ Charan Singh

.....Petitioner

Vs.

Jagat Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sanjeev Manrai, Senior Advocate, with
Mr. Malkiat Singh, Advocate,
for the petitioner.

SABINA, J.

Petitioner has filed this petition challenging the orders dated 17.12.2013 and 13.05.2015.

Learned counsel for the petitioner has submitted that the suit property is the ancestral property of respondent No. 1. Hence, respondent No. 1 could not alienate the suit property in favour of respondents No. 2 and 3.

Petitioner and respondents No. 4 have filed suit for declaration challenging the transfer deeds executed by respondent No. 1 in favour of respondents No. 2 and 3. Along with the suit petitioner also moved an application for temporary injunction. The Courts below vide the impugned orders have dismissed the said application. Hence, the present petition.

Petitioner and respondents No. 2 to 4 are the sons of respondent No. 1. The Courts below while rejecting the application for temporary injunction have held that, at this stage, there was no material on record to *prima facie* establish that the property in question was ancestral and co-parcenary property. Further in the written statement, respondent No. 1 had pleaded that he had disowned the petitioner. Respondent No. 1 further pleaded that no fraud was ever committed on him by respondents No. 2 and 3.

In view of the facts and circumstances of the present case, the Courts below had thus, rightly dismissed the application for temporary injunction.

Hence, no ground for interference is made out.

Dismissed.

**(SABINA)
JUDGE**

July 06, 2015
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