IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.5650 of 2015
Date of decision : 30.11.2015

Om Parkash

...Petitioner

Versus

SDO, DHBVN Ltd., Kanina and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. R.S. Sangwan, Advocate for the petitioner.

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AMIT RAWAL, J. (Oral)

The petitioner-plaintiff is aggrieved against the order dated 06.07.2015, whereby application under Order 39 Rule 2A CPC was dismissed by the trial Court on 18.07.2014 and appeal filed thereon has also been dismissed.

Mr. R.S. Sangwan, learned counsel appearing on behalf of the petitioner submits, that civil suit bearing No.502 of 2008 had been decreed on 16.01.2014. The shop in question remained closed for a period of eight months. Once there was willful disobedience of the interim order dated 02.05.2008, the Courts below ought to have determined the compensation, therefore, both the orders are not sustainable in the eyes of law.

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I have heard learned counsel for the petitioner-plaintiff and appraised the paper book.

It is settled law that interim orders emerges with decree. The petitioner-plaintiff would be at liberty to seek the execution of the decree and claim compensation and damages, if any.

It is settled law that Order 39 Rule 2A CPC apply during the pendency of the suit. Once the suit aforementioned has been decreed, no cause of action survives in application under Order 39 Rule 2A CPC.

In view of what has been noticed above, I do not find any illegality and perversity in the impugned order.

Accordingly, revision petition is dismissed.

30.11.2015 **(AMIT RAWAL)**
pawan **JUDGE**

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