

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Regular Second Appeal No.2315 of 2015(O&M)

Date of decision: 19.11.2015

Jang Singh

.....Appellant

versus

Jaila Singh and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Gagan Pradeep S. Bal, Advocate for the appellant

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

In a suit for permanent injunction filed by the plaintiff against the co-sharers for restraining them from alienating the suit land more than their share and also raising construction on the specific portion, the injunction was refused by the learned Additional Civil Judge, Senior Division, Sunam vide the impugned judgment and decree dated 9.1.2013 on the ground that partition proceedings are already pending in which status quo has been granted. Appeal filed by the plaintiff was dismissed by the learned Additional District Judge, Sangrur vide the impugned judgment and decree dated 2.3.2015.

I have heard learned counsel for the appellant and have also carefully gone through the file.

It comes out that partition proceedings are already

pending between the parties. In the partition proceedings, the revenue Court has exercised the powers of Civil Court and a status quo order was granted. Therefore, equally efficacious remedy was availed by the parties and appropriate relief was ordered. Therefore, the Civil Court was justified in refusing to exercise the discretion to grant the injunction.

No ground to interfere.

Consequently, the present appeal stands dismissed.

19.11.2015

gk

**(Kuldip Singh)
Judge**