

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

CR No. 1409 of 2015

Date of decision : 28.11.2016

Gurjeet Singh

...Petitioner

V/s

Ajaib Singh (deceased) & ors.

...Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Suveer Sheokand, Advocate for the petitioner.

Mr. Liaqat Ali, Advocate for LR's of respondent no. 1.

Mr. M.S. Sidhu, Advocate for respondents no. 2 & 3.

RAJAN GUPTA J.

Present revision petition is directed against the order passed by lower appellate court whereby application under Order 39 Rule 1 & 2 CPC has been rejected. Stand of the petitioner is that trial court directed the parties to maintain status quo regarding the existing possession over the property till the disposal of the suit. Same was reversed by the appellate court without assigning cogent reasons. It appears that a suit was filed by petitioner-plaintiff seeking possession of the suit land by way of specific performance on the basis of agreement dated 10.03.2010. Though application under Order 39 Rule 1 & 2 CPC was decided, proceedings in the trial continued. During pendency of present revision petition, trial of the case has made some headway. Stand of the respondents is that there is construction existing over the property in question. There can be no doubt that in case property is alienated during the pendency of civil suit, it may give rise to multiplicity of litigation. It shall be, thus, in the interest of

justice that trial court may expedite the proceedings of the trial. However, parties would maintain status quo regarding title over the suit property during the pendency of the suit.

Petition is disposed of in these terms.

November 28, 2016

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No