

**In the High Court of Punjab and Haryana at Chandigarh**

**Civil Revision No.2801 of 2016**

**Date of Decision:28.4.2016**

**Hans Raj**

**---Petitioner**

**vs.**

**Haryana Wakf Board and another**

**---Respondents**

**Coram: Hon'ble Mrs. Justice Rekha Mittal**

**\*\*\***

**Present:** Mr.Vimal Kumar Gupta, Advocate  
for the petitioner

**\*\*\***

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

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**Rekha Mittal, J.**

The present petition has been directed against order dated 23.12.2015 (Annexure P-4) passed by the Civil Judge (Junior Division), Jagadhari whereby the parties have been directed to maintain status quo qua the property in question till further orders.

Counsel for the petitioner would contend that the impugned order is illegal and liable to be set aside.

I have heard counsel for the petitioner, perused the paper book particularly the impugned order.

A relevant extract from the impugned order reads as follows:-

“Arguments on stay application not advanced. Learned counsel for the plaintiff has submitted that he is ready for arguments. But Sh. Pardeep Garg, learned counsel for the defendant No. 2 moved an application to adjourn the case as he has filed transfer application as well as handed over the paper to Advocate at Hon'ble High Court for filing revision. On this point, learned counsel for plaintiff has submitted that at this stage, there is no stay of proceeding from any Hon'ble Appellate Court and without any stay of proceeding there is no ground for adjournment. Perusal of the file shows that on the last date, learned counsel for defendant No. 2 has filed an application for adjournment of the case and now, today also, same application is filed for adjournment. Till today, learned counsel for defendant No. 2 has failed to furnish any order or Hon'ble Appellate Court, in which there is stay of proceeding. Hence, there is no ground to adjourned the case without any reasonable ground. But in the interest of justice, the case is adjourned for 8.1.2016. But in order to protect the case property, both parties are directed to maintain status quo over the property in question till further order.”

A bare reading of the impugned order clearly indicates that the petitioner (defendant No. 4) was avoiding to advance arguments on an application filed by the contesting respondent/plaintiff for grant of interim

injunction against forcible interference in his alleged possession of the suit land. Keeping in view the facts elicited in the impugned order, I do not find any error much less illegality in the impugned order warranting intervention.

For the foregoing reasons, the petition is dismissed in limine. No order as to costs. Nothing stated in the order shall be construed as an expression of opinion on merits of the case.

**(Rekha Mittal)**  
**Judge**

**28.4.2016**  
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