

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

C.R. No.3350 of 2016

Date of Decision.11.05.2016

Amit Kumar and others

.....Petitioners

Vs.

Harbhajan and others

.....Respondents

Present: Mr. Randeep Singh, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

-.-

K. KANNAN J. (ORAL)

1. The son has filed suit impeaching the alienation brought by his father five years prior to the institution of the suit. He has sought for relief of injunction against further alienation and to restrain the purchaser from taking possession of the property. The Court has granted the relief of status quo with regard to further alienation and declined the relief of maintaining the alleged possession of the plaintiff.

2. The transaction by a father-manager in relation to an ancestral property is not void but only voidable and till the plaintiff is able to secure an appropriate relief impeaching sale, he will not be able to cause any obstruction to purchaser's right to possession. I find no prima facie case available for the plaintiff to seek for injunction against the purchaser from taking possession of the property. If that relief was declined by the Court below, I find no reason for making any intervention. The revision petition is dismissed.

**(K. KANNAN)
JUDGE**

May 11, 2016

Pankaj*

PANKAJ KUMAR
2016.05.12 11:29
I attest to the accuracy and
integrity of this document