

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

CR No. 4270 of 2016

Date of decision: 12.07.2016

Ram Niwas

....Petitioner

Versus

Haryana State Agriculture Marketing Board and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH  
DHALIWAL**

Present: Mr. V.D.Sharma Advocate,  
for the petitioner.

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**Paramjeet Singh Dhaliwal, J. (Oral)**

This civil revision under Article 227 of the Constitution of India has been filed for setting aside the impugned order dated 17.03.2016 (Annexure P-5) vide which the application dated 17.01.2014 (Annexure P-3) under Order 1 Rule 10 CPC has been allowed.

I have heard learned counsel for the petitioner and perused the file.

The instant civil revision arises from the suit for mandatory injunction filed by the petitioner, stating that firm known as M/s Sheo Narain Basheshar Lal had been in existence since 05.11.1983 and the said firm was dissolved on 31.03.1992. All the partners except petitioner voluntarily retired from the business. The petitioner being the sole proprietor sought renewal of the firm from the official respondents i.e. from the Department of Haryana State Agriculture Marketing Board but during the pendency of those

proceedings one of the partners filed an application that the firm was never dissolved and is still subsisting and the suit has been filed by the plaintiff-petitioner with an ulterior motive to get himself declared sole proprietor so that he could get a shop allotted in New Grain Market, Julana

Admittedly, the applicant was a partner of the original firm which was set up in the year 1983 and is thus an interested party. Ultimately it is to be determined by the Court after leading evidence by the parties whether the firm was ever dissolved or not. I do not find any illegality or perversity in the order dated 17.03.2016 (Annexure P-5)

Dismissed.

**12.07.2016**  
PA

**(Paramjeet Singh Dhaliwal)**  
**Judge**