

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

CR No.5270 of 2015 (O&M)

Date of decision:9.5.2016

Sucha Singh

....Petitioner

VERSUS

Joginder Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sham Lal Bhalla, Advocate and
Ms. Manpreet Ghuman, Advocate
for the petitioner.

Mr. N.P.S. Mann, Advocate
for the respondent.

REKHA MITTAL, J.(Oral)

Counsel for the parties are ad idem that the petition may be disposed of, the impugned orders dated 08.12.2014 (Annexure P-2) and 29.05.2015 (Annexure P-4) may be set aside and the matter may be remitted to the trial Court for decision of the application under Order 39 Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, 1908, afresh after hearing counsel for the parties in accordance with law.

Counsel for the respondent has submitted that the respondent would not alienate the suit property till disposal of the stay application.

In view of the above, the petition is allowed. The impugned orders dated 08.12.2014 (Annexure P-2) and 29.05.2015 (Annexure P-4) are set aside with a direction to the trial Court to dispose of the application for grant of interim injunction afresh after hearing counsel for the parties in accordance with law. The respondent shall remain bound by the statement made by his counsel.

MAY 9, 2016
'D. Gulati'

(REKHA MITTAL)
JUDGE