

In the High Court of Punjab and Haryana at Chandigarh

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CR No. 6224 of 2016

Date of decision: 18.10.2016

NAIB SINGH AND ORS

..... petitioners

Versus

RAJINDER SINGH AND ORS

.....respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.M.S.Uppal, Advocate,
for the petitioners

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

RAJ MOHAN SINGH, J.(oral)

During the course of arguments, it came to the notice of the Court that correction proceedings before the revenue officer have already culminated in correction of khasra girdawaries in favour of true owners Amar Chand and Savita Loomba.

Plaintiff-petitioners filed a suit for permanent injunction against the aforesaid true owners. No injunction was granted, rather the suit was dismissed for non prosecution, for which an application for restoration has already been filed by the petitioners. Subsequently, the present suit came to be filed by the plaintiffs against the heirs of true owners and one Rajinder Singh. Trial Court ganted ad interim injunction whereas

the lower Appellate Court vacated the same after proceeding ex parte against the plaintiffs.

Evidently, the petitioners could not obtain interim injunction against true owners. In the earlier suit correction of khasra girdawaries has already been done in favour of true owners. Respondents No.2 and 3 are the sons of true owners, therefore, all the three ingredients for granting temporary injunction are not attracted in favour of the petitioners. This revision petition is found to be totally bereft of merit and is dismissed as such. However, trial Court would make all endeavours to decide the suit as expeditiously as possible.

(RAJ MOHAN SINGH)
JUDGE

October 18, 2016
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