

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

CR No.6654 of 2016
Date of decision : 05.10.2016

Gurmeet Singh

...Petitioner

Versus

Balbir Singh Chahal and another

..Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. G.S. Jagpal, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

Prayer in the present revision petition is for direction to the trial Court to dispose of the application moved under Order 39 Rules 1 and 2 CPC along with suit claiming permanent injunction.

Mr. G.S. Jagpal, learned counsel appearing on behalf of petitioner submits that most of the zimni orders passed in suit has been extracted in the grounds of revision and says that respondent has been proceeded ex parte. An application under Order 1 Rule 10, much less, Order 7 Rule 11 CPC, has also been filed. In fact the focus of the Court had been taken off from the consideration of application moved under Order 39 Rules 1 and 2 CPC.

I have heard learned counsel for the petitioner and appraised the paper book and of the view that zimni orders do show that respondent

had been adopting impediment and hindrance in the trial of the suit, much less, adjudication of the application moved under Order 39 Rules 1 and 2 CPC by moving one application or the other, much less, proceeded ex parte.

I am of the view that persons cannot be rendered remediless. Grievance cannot be kept in abeyance as suit for injunction is stated to be pending since 2014. Purpose is for entertaining plea of injunction i.e. application had been filed for redressal of the grievance, much less, increasing the agony and harassment/anxiety of the litigants.

In view of the aforementioned fact, I dispose of the present revision petition with direction to the trial Court to expedite the disposal of the application moved under Order 39 Rules 1 and 2, as service is complete, as expeditiously as possible within a period of one month from the date of receipt of certified copy of the order.

Accordingly, present revision petition is disposed of.

05.10.2016

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**