

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

CR No.6445 of 2014 (O&M)
Date of decision : 14.03.2016

Bhagwan Singh and another

...Appellants

Versus

Gram Panchayat Village Samru and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. R.K. Dogra, Advocate for the petitioners.

Mr. Arvinder Arora, Advocte for the respondent No.1.

AMIT RAWAL, J. (Oral)

The petitioner-plaintiff is aggrieved of the dismissal of the application filed under Order 39 Rule 1 and 2 CPC for grant of ad interim injunction during the pendency of the suit and they may not be dispossessed except in due course of law.

Learned counsel for the petitioner submits that as per the jamabandi for the year 2002-2003, the possession is of the plaintiff, though petition under Section 13-A of the Punjab Village Common Land Act, 1961 was filed by the respondent-Gram Panchayat but the status of the same is not ascertainable.

Learned counsel for the respondent submits that during the pendency of the suit, possession of the property has been handed over.

Be that as it may, without pondering upon merits and demerits of the application for ad-interim injunction, the fact remains that suit has been filed in the year 2011 and suit is still at the stage of plaintiff's evidence. In case plaintiff is actually aggrieved, he should have to completed the evidence as early as possible instead of pursuing the matter for ad-interim measures.

In view of the aforementioned fact, impugned order do not suffers from any illegality and perversity and cannot be said to have been passed without jurisdiction.

No ground for interference is made out.

Dismissed.

14.03.2016

pawan

**(AMIT RAWAL)
JUDGE**