

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.7150 of 2016

Date of Decision.24.10.2016

Teja Singh son of Shri Labh Singh

.....Petitioner

Vs

State of Punjab and others

.....Respondents

Present: Mr. Amandeep Soni, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The petitioner-plaintiff is aggrieved of the impugned orders Annexure P-1 and P2 whereby the ad interim application moved in a suit seeking injunction qua forcible interference and dispossession, has been dismissed, primarily on the ground that it has surfaced through the proceedings of the suit that some allotment by the Tehsildar Sales-cum-Managing Officer has been done in favour of the respondents-defendants. It is settled law that where prima facie the suit is not sustainable, ad interim application cannot be entertained.

Mr. Soni, learned counsel appearing for the petitioner submits that the petitioner-plaintiff shall move an appropriate application seeking amendment of plaint and liberty may be given to him to move a fresh ad interim application, in case the amendment is allowed.

I am of the view that the aforementioned request is innocuous and justified but at this stage, this Court cannot ponder/deliberate upon merits or demerits of the application.

In view of the observations made here-in-above, the reasonings

given by the Courts below with regard to maintainability of the application

in the suit aforementioned, are upheld, however, liberty is granted to do the needful as per statement suffered by the counsel during the hearing of the revision petition.

The revision petition is disposed of with the above observations.

(AMIT RAWAL)
JUDGE

October 24, 2016
Pankaj*

Whether reasoned/speaking	Yes
Whether reportable	No