

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.126 of 2016
Date of decision: 17.07.2017

Ajmer Singh and another

... Petitioners

Vs.

Darshan Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Manoj Kumar Pundir, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the order dated 27.11.2014 (Annexure P-1) passed by the learned trial Court, whereby their application under Order 39 Rules 1 and 2 read with Section 151 of the Code of Civil Procedure was dismissed and miscellaneous appeal was also dismissed by the learned first appellate Court vide order dated 02.12.2015, plaintiffs have approached this Court by way of present civil revision petition under Article 227 of the Constitution of India, for setting aside the impugned orders.

Heard learned counsel for the petitioners.

A bare combined reading of both the impugned orders passed by the learned Courts below would show that the petitioners-plaintiffs have miserably failed to make out a case for ad-interim injunction in view of the decision of this Court in earlier litigation between the parties. It is a matter of record that the earlier appeal filed by the present petitioners was dismissed by this Court vide

judgment dated 13.03.2014. In this view of the matter, it can be safely concluded that the learned Courts below were well within jurisdiction to pass their respective impugned orders and the same deserve to be upheld.

During the course of hearing, learned counsel for the petitioners could not point out patent illegality or perversity in either of the impugned orders passed by the learned Courts below, which may warrant interference at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India. Once the petitioners-plaintiffs have failed to make out a case for ad-interim injunction, the learned trial Court as well as the learned Additional District Judge were well justified in passing their respective impugned orders and the same deserve to be upheld, for this reason also.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that since no illegality or perversity has been found in either of the impugned orders, the same deserve to be upheld. The revision petition having been found wholly misconceived, bereft of merit and without any substance, must fail. No ground for interference has been made out.

Resultantly, with the abovesaid observations made, present revision petition stands dismissed, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

17.07.2017
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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No