

In the High Court of Punjab and Haryana at Chandigarh

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CR No. 3303 of 2016(O&M)

Date of decision: 23.8.2017

NISHAN SINGH

.....petitioner

Versus

BOOTA SINGH & ANR

.....respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms.Dolly Dhiman, Advocate for
Mr.M.S.Sodhi, Advocate,
for the petitioner.

Mr. Sandeep Jasuja, Advocate
for respondent No.1.

RAJ MOHAN SINGH, J.(oral)

In a suit for permanent injunction, an application under Order 39 Rule 1 and 2 read with Section 151 CPC was filed by plaintiff Boota Singh for interim injunction restraining the defendants from interfering in his possession over the disputed house.

Plaintiff claimed himself to be owner in possession of the suit house on the strength of allotment letter dated 23.12.1955 and pursuance thereof a *sanad* was issued to him on 24.1.1956 by the Managing Officer, Assistant Settlement Officer under Section 10 of the Displaced Persons (Compensation & Rehabilitation), Act, 1954 alongwith

agricultural land measuring 22 standard acre 1-1/2 units in the village Qabarwala Tehsil Malout.

The trial Court dismissed the application. However, lower Appellate Court, on the basis of material produced by the plaintiff in respect of his title, granted interim injunction. It appears that the factum of possession over the suit property is in dispute between the parties. The suit is pending. It would be just and expedient to grant status quo with regard to possession of the property as it exists today till disposal of the suit by the trial Court. Ordered accordingly.

Petition stands disposed of.

August 23, 2017
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(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/Speaking

Yes/No

Whether reportable

Yes/No