

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.5455 of 2017

Date of Decision: 18.08.2017

Chiman Lal

... Petitioner

Vs.

Atul Nagpal and another

... Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. J.S. Pannu, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Present revision petition, filed under Article 227 of the Constitution of India, at the hands of defendant, is directed against the order dated 01.07.2017 passed by the learned Additional District Judge, whereby miscellaneous appeal of the petitioner was dismissed and the order dated 06.01.2016 (Annexure P-1) passed by the learned trial Court, granting ad interim injunction in favour of the plaintiffs-respondents, was upheld.

Heard learned counsel for the petitioner.

A combined reading of both the impugned orders passed by the learned first appellate Court as well as the learned trial Court will make it crystal clear that the plaintiffs-respondents have made out a prima facie case for ad-interim injunction. They also fulfilled the second equally important ingredient that the balance of convenience was in favour of the plaintiffs. Third requirement was also fulfilled by the plaintiffs to the effect that in case ad-interim injunction would not be granted in their favour, they would suffer

irreparable loss and injury. Once all these three basic ingredients were fulfilled by the plaintiffs, the learned Courts below were well justified in granting ad-interim injunction in favour of the plaintiffs. Having said that, this Court feels no hesitation to conclude that the learned Courts below were well within their jurisdiction to pass the impugned orders and the same deserve to be upheld.

During the course of hearing, learned counsel for the petitioner could not point out patent illegality or perversity in the impugned orders, which may warrant interference at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India. The impugned orders passed by the learned Courts below have been found based on sound reasons 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 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

18.08.2017
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No