

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

CR No. 6282 of 2017 (O&M)

Date of Decision: 29.09.2017

RAGHAV SADANA AND ANR

-PETITIONERS

VS

SATISH KUMAR ARORA & ORS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Abhinav Sood, Advocate, for
Mr. Vikram Singh, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (ORAL)

Evidently, the petitioners have already filed suit for specific performance against the present respondent No.1 and his brothers namely Pran Nath and Sushil Kumar, respondents No.2 and 5 respectively. The said suit is pending.

The present suit has been preferred by Satish Kumar against his brothers and Municipal Corporation for permanent injunction seeking to restraint the defendant No.1 Pran Nath from raising any construction over property No.24/24-A, Green Avenue, Temple Lane, Amritsar in any manner and also sought mandatory injunction directing defendants No.1 to 3 to demolish the unauthorized construction raised by defendant No.1 in the aforesaid property.

Evidently, no relief has been claimed against the petitioners who are plaintiffs in a different suit for specific performance on the basis of agreement to sell dated 24.09.2004. Issue of permanent injunction is somewhat personal in nature. The petitioners cannot compel the plaintiffs to seek any injunction against them nor any order/decreed passed in a suit for permanent injunction would be binding upon the petitioners in their suit for specific performance. The suit for specific performance would be decided in accordance with law.

Since, no relief has been claimed against the petitioners in a suit for permanent injunction, this Court cannot stretch any contingent plea raised by the petitioners at this stage.

Accordingly, the present revision petition is dismissed.

29.09.2017
jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No