

In the High Court of Punjab and Haryana at Chandigarh

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**CR No.8102 of 2015 (O&M)
Date of decision: 7.11.2017**

BABA GURSHARAN DASS

.....petitioner

Versus

NIRMAL DASS CHELA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. K.S.Rekhi, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J (oral)

Petitioner-defendant has filed this revision petition against the orders passed by the Courts below in the proceedings under Order 39 Rules 1 and 2 CPC directing the parties to maintain status quo in respect of the suit land.

Plaintiff filed a suit for permanent injunction restraining the defendant from interfering in the peaceful possession of the plaintiff in the Dera Baba Budh Dass situated within *lal lakir* of the village except in due course of law.

Trial Court decided the application under Order 39 Rules 1 and 2 CPC with a direction to the parties to maintain status quo regarding existing possession of the suit property till final decision of the suit. The said order was maintained by the lower Appellate Court.

Learned counsel for the petitioner relies upon order dated 16.8.2013, passed by the Sub Divisional Magistrate, Shahkot in the proceedings under Sections 145 and 146 Cr.P.C., wherein direction was given that the possession of the disputed property be handed over to the concerned parties. Nothing has been brought on record to show whether the said order was given effect at any point of time.

At this juncture, in my considered opinion, the order granting status quo is just and appropriate. However, the trial Court shall make every endeavour to decide the suit at the earliest.

The present revision petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

November 07, 2017
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Whether reasoned/speaking **Yes/No**

Whether reportable **Yes/No**