

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

CR No.7759 of 2017(O&M)

Date of decision: 9.11.2017

Dharvinder Kaur

.....Petitioner

VERSUS

Jarnail Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Mohit Jaggi, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

The present petition directs challenge against orders dated 06.07.2017 (Annexure P-5) and 12.09.2017 (Annexure P-7) whereby application for grant of interim injunction was dismissed by the trial Court and the order passed by the trial Court has been affirmed in appeal.

Counsel for the petitioner has submitted that the property in question depicted as ABCD in the site plan is adjoining house of the petitioner and she is using the same for tethering her cattle and placing manure heap. She has also placed a toka machine and constructed a khurli on the land. She has also taken water connection in the land. It is further submitted that rival claims of the parties in respect of possession of the suit land need adjudication on the basis of evidence yet to be adduced, therefore, orders passed by the Courts below may be modified by directing the parties to maintain status quo qua possession of the land in question. It is further submitted that the materials placed on record, taken note of by the trial Court while allowing ex parte interim injunction vide order dated

21.03.2017 is sufficient to accept contention of the petitioner for grant of order of status quo.

I have heard counsel for the petitioner, perused the paper-book particularly pleadings of the parties and the orders impugned as well as order dated 21.03.2017.

Perusal of the orders impugned would make it evident that the Courts below have neither failed to take into consideration any materials on record that has bearing on decision of entitlement of the petitioner to get interim injunction nor consistent findings recorded by the Courts below suffer from any illegality much less perversity warranting intervention in exercise of supervisory jurisdiction/revisional jurisdiction of this Court.

For the foregoing reasons, the petition fails and is accordingly dismissed in limine. However, nothing stated hereinbefore shall be construed as an expression of opinion on merits of the case nor will cause prejudice to either of the parties at the time of final adjudication.

NOVEMBER 9, 2017

‘D. Gulati’

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no