

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

**F.A.O. No.10391 of 2014 (O&M)
Date of Decision: 01.08.2017**

Mangtu Ram

..... Appellant

Versus

Dharampal and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. S.S.Mor, Advocate for the appellant/plaintiff.

Mr. Raman Chawla, Advocate for the respondents/defendants.

JASWANT SINGH, J. (ORAL)

The plaintiff has filed the present appeal directed against the order dated 15.11.2014, passed by the Appellate Court/ADJ, Bhiwani, whereby *ex parte ad-interim* temporary injunction was denied, while issuing notice of the main appeal as well as application under Order 39 Rules 1 and 2 CPC for grant of ad-interim injunction for 27.02.2015.

The application for grant of interim injunction was filed along with the appeal filed by the plaintiff/appellant against the judgment and decree dated 07.11.2014, passed by the Additional Civil Judge (Sr. Divn.), Siwani, whereby the suit of the plaintiff for permanent injunction was dismissed.

At the time of hearing, learned Counsel for the appellant concedes that the present appeal has become infructuous, as after appearance of the other party/defendants on 27.02.2015 and on subsequent dates, the prayer for *ex parte*

ad-interim temporary injunction became meaningless since the injunction application was to be decided after hearing both the parties. He concedes that not only the temporary injunction application would have been decided by now, but perhaps even the main appeal.

Accordingly, the present appeal is hereby dismissed as infructuous.

August 01, 2017

Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>