

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

Civil Revision No.3608 of 2018 (O&M)

Date of decision: May 31, 2018

Manoj Kumar

...Petitioner

Versus

Vineet Kumar Sachdeva and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Chetan Bansal, Advocate
for the petitioner.

INDERJIT SINGH, J.

CM No.10937-CII and 11231-CII of 2018

Applications are allowed. Annexures P-1 to P7 are taken on record, subject to all just exceptions.

CR No.3608 of 2018

Petitioner Manoj Kumar has filed this revision petition against Vineet Kumar Sachdeva and other respondents under Article 227 of the Constitution of India for setting aside the order dated 03.05.2018 passed by learned Civil Judge (Junior Division), Amritsar.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that as per the impugned order, earlier the suit has been filed by Manoj Kumar against defendants No.1 to 3 and

the Court has granted stay against defendants No.1 to 3. Later on, plaintiff impleaded Bank of Baroda as a party as defendant No.4. Along with the suit, an application for ad interim injunction was filed against the defendants, who were party in the suit at that time. At the time of arguments, it is admitted that no separate stay application has been filed against Bank of Baroda for ad interim injunction nor there are any averments regarding prima facie case, balance of convenience or threat by the Bank etc. in the application under Order 39 Rule 1 and 2 CPC nor perusal of impugned order dated 03.05.2018 shows that any specific prayer has been made or application has been filed by the present petitioner-plaintiff for ad interim injunction against defendant No.4 also. Further, no specific order has been passed by learned Civil Judge (Jr. Divn.), Amritsar declining ad interim injunction against defendant No.4-Bank of Baroda, which has been impleaded later on, in the suit.

In view of all these facts, I find that when there is no specific order declining ad interim injunction against defendant No.4 nor there is any specific application for grant of ad interim injunction against defendant No.4, which has been impleaded later on, therefore, the present revision petition being without merit, stands dismissed.

May 31, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No