

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

CR No.4876 of 2018
Date of decision: 06.08.2018

Alamjit Singh .. Petitioner

vs.

The Singhpura Bhuda Cooperative Joint
Farming Society Ltd. and others .. Respondents

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Mahir Sood, Advocate
for the petitioner.

--

Harinder Singh Sidhu, J.

The petitioner claims to have purchased plot No.14 measuring 3813 Sq. Yards from one Satwinder Singh Grewal, who was the member of respondent No.1-Society. It is his case that the name of Satwinder Singh Grewal has been deleted from the Register of members of the society and the name of petitioner included, therein. It is also claimed that plot No. 14 measuring 3813 Sq. Yards has been transferred in the name of the petitioner.

The petitioner has filed Civil Suit against the respondents. In it he has sought a declaration that he being one of the member of the society is the owner in joint possession of land measuring 1 Bigha 14 Biswas (1700 Sq. yards being part of plot No.14) out of the total land and that the allotment of the said land in favour of respondent-Gurpreet Kaur was illegal and void. He had also prayed for grant of permanent injunction for restraining the respondents from selling, alienating, mortgaging or in any manner transferring the land measuring 1 Bigha, 14 Biswas being part of plot No.14. He had filed an application under Order 39 Rule 1 and 2 of CPC, in which initially status quo was ordered vide order dated 30.01.2018.

The said order was later vacated by learned Civil Judge (Jr. Division) vide

his order dated 14.02.2018. The order dated 14.02.2018 was challenged by the petitioner in CR No.1697 of 2018. This Court set aside the order dated 14.02.2018 and restored the order dated 30.01.2018 till the appearance of respondent Nos. 1 and 5.

Learned counsel for the petitioner states that he has moved an application (Annexure P-3) dated 28.02.2018 for issuing directions to respondents to produce the original documents/resolutions/registers specified therein which had been relied on by the respondents in their written statement. Reply to the said application has already been filed on 07.04.2018 and it has been admitted by the respondents that the documents mentioned in the application are part of the original record maintained by respondent No.1-Society. However, no order on the said application has been passed. Learned Senior counsel states that the decision on the said application is essential for adjudication of the application for interim stay. In view thereof, his limited prayer is that the learned trial Court be directed to decide the application expeditiously.

Considering the aforesaid facts and circumstances and in view of the urgency expressed by the learned counsel for the petitioner, this petition is disposed of by requesting the learned Trial Court to dispose of the application (Annexure P-3) expeditiously preferably within a period of three weeks from the date of receipt of certified copy of this order.

06.08.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned	Yes
Whether Reportable:	Yes/No