

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.5373 of 2015 (O&M)
Date of Order:26.03.2018

Gajjan Singh

..Petitioner

Versus

Ravel Kaur and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjay Majithia, Sr. Advocate, with
Mr. Inderjeet Singh, Advocate,
for the petitioner.

ANIL KSHETARPAL, J(Oral)

Defendant-petitioner is in revision petition against the order passed by the courts below while deciding application for temporary injunction.

This court while issuing notice of motion on 21.08.2015, passed the following order:-

“Learned Senior counsel for the petitioner inter alia contends that the petitioner is in exclusive possession to the extent of his share and has also constructed a boundary wall prior to filing of the suit.

Learned Senior counsel relies upon jamabandi for the year 2008-09, wherein respondent no.1 Ravel Kaur is shown to be in possession of 4.17 Sarsahi i.e. less than ½ of the marla. According to learned Senior counsel, the other co-sharers of the joint land have no objection to the exclusive possession of the defendant. In the

jamabandi also self-cultivation is shown. Learned counsel also refers to Annexure P-3 in order to substantiate that the defendant is in exclusive possession of the land shown within boundary wall.

Notice of motion for 04.02.2016.

Status quo re: possession be maintained in the meanwhile.”

As per office report, respondents no.1, 3 to 9 were served but never came present to oppose. Service of respondent no.2 was dispensed with.

The suit was filed on 29.05.2014. It is pending for the last 4 years. The interim order passed by this Court has continued to operate for almost 2 years and 8 months.

Taking into consideration the aforesaid facts, it is ordered that the interim order passed by this Court would continue to operate during the pendency of the suit.

Learned trial court is requested to decide the suit finally within a period of 9 months from the date of receipt of a certified copy of this order.

The revision petition is disposed of.

March 26, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No