

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CR No. 5672 of 2018
Date of decision: 10.09.2018.

Sukhjit Kaur and another .. Petitioners.
vs.
Kranti Sharma and another .. Respondents.

2. TA No. 727 of 2018(O&M)
Date of decision:-10.09.2018

Sukhjit Kaur and another .. Petitioners
vs.
Kranti Sharma and another .. Respondents

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Vikas Bahl, Senior Advocate with
Mr. Parvinder Singh, Advocate
for the petitioners.

Mr. Harsh Aggarwal, Advocate
for the respondents.

Harinder Singh Sidhu, J.

This order shall dispose of CR No. 5672 of 2018 and the TA
No. 727 of 2018.

The revision petition has been filed impugning the order dated
01.08.2018 (Annexure P-10) of learned District Judge, Patiala whereby an
application moved by the the respondents for transfer of appeal titled as
'Sukhjit Kaur and other vs. Kranti Sharma' pending in the Court of learned
Additional District Judge, Patiala was allowed and transferred to another
learned Additional District Judge.

Transfer Application No. 727 of 2018 has been filed for
transferring the appeal No. 139/2018 titled as 'Sukhjit Kaur and others vs.
Kranti Sharma' pending in the Court of learned Additional District Judge,
Patiala to any other Court of competent jurisdiction in the States of Punjab,
Haryana and UT Chandigarh.

The respondent had filed a suit for permanent injunction for restraining the petitioners(herein), their agents, servants or representatives from raising any type of construction over the suit land measuring 3 kanals out of 6 kanals comprised in khasra No.23/11/2/10(4-12) and 24//15/1(0-17) situated in the revenue estate of Rajpura, Tehsil Rajpura, District Patiala.

On an application under Order 39 Rules 1 and 2 read with Section 151 CPC for restraining the defendants, their agents, servants or through their representatives from raising any type of construction over the suit land, learned trial Court passed an order dated 3.7.2018 directing that the parties would maintain status-quo regarding construction.

The defendants-petitioners(herein) preferred an appeal against the aforesaid order and the learned Additional District Judge, Patiala vide order dated 13.7.2018 stayed the operation of the order of learned trial Court.

Thereafter, the respondent(plaintiff) moved an application before the learned District Judge, Patiala requesting that the appeal be withdrawn from the learned Judge hearing it and transferred to any other Court. The learned District Judge allowed the application. It is the order passed in this application which has been impugned in the revision petition. The appeal is now stated to be pending for 14.09.2018.

Learned counsel for the parties are agreed that the appeal may be transferred to Mohali.

Accordingly, this revision petition and transfer application are disposed of by consent of parties.

The appeal titled as 'Sukhjit Kaur and other vs. Kranti Sharma' pending in the Court of learned Additional District Judge, Patiala is withdrawn from the said Court and transferred to SAS Nagar (Mohali). The District Judge, Mohali may assign it to any competent Court at SAS Nagar (Mohali).

As the appeal is against an interim order, it is expected that it would be disposed of expeditiously.

The parties may appear before the transferee Court at SAS Nagar (Mohali) on 18.09.2018.

10.09.2018
dinesh

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No