

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

CR No.6565 of 2017
Date of decision : 07.03.2018

Krishan Kumar

...Petitioner

Versus

Ashok Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anupam Gupta, Sr. Advocate with
Mr. Ashok Kumar, Advocate along with
Mr. Krishan Kumar, petitioner in person.

ANIL KSHETARPAL, J. (ORAL)

The defendant-petitioner is in the revision petition against the order dated 21.09.2016 passed by the learned Additional District Judge, while deciding an appeal against the order passed by the trial Court deciding the application for temporary injunction. Although, learned Additional District Judge, the first Appellate Court has reversed the order passed by the learned trial Court and granted certain interim protection to the plaintiff, however, taking into consideration the following facts, this Court has chosen to dispose of the revision petition at the very first hearing:-

1. The impugned order was passed by the learned Additional District Judge on 21.09.2016. The suit was filed on 06.01.2016. The trial is pending in the Court for the almost over 2 years.
2. It is fairly admitted at the time of the arguments that the case has

already been fixed for the evidence.

In view of the aforesaid facts, rather than deciding this revision petition on merits, the revision petition is disposed of with the following directions:-

- i) Any observations made by the learned First Appellate Court while accepting the appeal and reversing the order passed by the learned trial Court, would have no bearing whatsoever on the merits of the case when the trial Court takes up the suit for the final decision.
- ii) The trial Court would make a sincere endeavour and dispose of the suit itself within a period of 4 months from the date of receipt of the certified copy of the order.

In view of the above, the present revision petition is disposed of.

07.03.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No