

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

**CR No.6584 of 2017
Date of Decision:14.03.2018**

Bakhshish Singh

...Petitioner

Versus

Jagir Singh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.G.S.Nagra, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

This revision petition has been filed against the order passed by the learned trial court, dismissing the application under Order 39 Rule 2A of the Code of Civil Procedure, alleging breach of a temporary injunction order. An appeal filed against the aforesaid order passed by the learned trial court has also been dismissed.

At the outset, it must be noticed that the suit filed by the plaintiff in which temporary injunction order was granted has already been decided against him.

Both the courts have appreciated the evidence and found that the plaintiff has failed to lead any credit worthy evidence to prove the violation of the injunction order. Proceedings under Order 39 Rule 2A of the Code of Civil Procedure are initiated to punish the party for disobedience of the injunction order granted. The disobedience has to be proved beyond any reasonable doubt. The proceedings are quasi criminal in nature as the court in the proceedings under Order 39 Rule 2A can order civil imprisonment up-to a period of three months.

In the present case, learned counsel for the petitioner although

vehemently argued, however, could not point out any substantive misreading or non-reading of the evidence available on the file. Both the courts below have appreciated the evidence in the correct perspective.

In view thereof, there is no scope for interference in the impugned orders passed by the courts below. The civil revision petition is dismissed.

14.03.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No