

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

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**CR No. 3318 of 2019  
Date of Decision : 20.5.2019**

**Surjit Kaur and another**

.....Petitioners

**v.**

**Jagtar Singh and others**

.....Respondents

**CORAM : HON'BLE MR. JUSTICE KULDIP SINGH**

Present : Mr. Aman Dhir, Advocate, for the petitioners

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**KULDIP SINGH, J. (Oral)**

The petitioners impugned the order dated 3.11.2017 passed by the learned Civil Judge (Junior Division), Amloh, vide which status quo regarding suit property was ordered. The petitioners also impugned order dated 27.2.2019, passed by the learned District Judge, Fatehgarh Sahib, vide which the said order was upheld.

Heard.

In this case the plaintiff has sought the declaration that he is owner in possession of the property to the extent of 1/4<sup>th</sup> share. He has also challenged the Transfer Deed dated 31.1.2017 executed by defendant No.1 in favour of defendant No. 2. The plaintiff has also sought for permanent injunction for restraining the defendants from alienating, selling, transferring, mortgaging the suit property and from interfering into the possession and from dispossessing the plaintiff from the suit property. The Civil Judge after hearing the parties, granted the status quo.

Learned counsel for the petitioners has argued that the documents relied upon by the trial Court could not be relied upon. He has referred to the

judgments of the Supreme Court in the case of 'Yellapur Uma Maheshwari and another v. Buddha Jagadheeswararao and others, 2015 (4) RCR (Civil) 765' and 'Hargursharan Singh v. Lt. Col. Hargobind Singh, 2017(2) RCR (Civil) 647'.

In view of the above, I am of the view that in this case, the plaintiff has made a claim for declaration before the trial Court. He has also challenged the Transfer Deed. Therefore, the trial Court in such circumstances rightly ordered the status quo. It has come to the notice that the suit has been filed in the year 2017 and must be at an advanced stage.

No ground is made out to interfere in the concurrent findings of both the Courts below.

The petition stands dismissed.

**(KULDIP SINGH)**  
**JUDGE**

**20.5.2019**

*Ashwani*

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|-------------------|---|--------|
| Speaking/Reasoned | : | Yes/No |
| Reportable        | : | Yes/No |