

CR No.4815 of 2019  
Date of Decision: 16.10.2019

Prem Gupta

.....Petitioner

Versus

Sandeep Gupta and others

.....Respondents

**CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR**Present: Mr. Amit Kohar, Advocate  
for the petitioner.**NIRMALJIT KAUR, J. (ORAL)**

The present revision petition is filed against the impugned orders passed by the Courts below vide which his application for injunction on the ground that he alone is in possession of the suit property, was dismissed

While praying for the interim injunction, learned counsel for the petitioner submitted that his possession has not been denied by the respondents in their written statement. Therefore, he was entitled to temporary injunction.

However, a perusal of the plaint shows that the petitioner is not actually residing in the premises in dispute because all he has mentioned is that the home is under his lock and key. Infact, it is further proved from the memo of parties itself that the petitioner is not residing at the suit property where he has specifically mentioned that he is presently residing at Mehta Niwas, By Pass Kather, Solan (H.P.). There is no other document on record to show that the petitioner is in possession of the same. Accordingly, the

petitioners as well as the respondents being co-sharers, no injunction can be granted. No ground is made out to interfere in the impugned orders passed by the Courts below refusing the injunction.

Dismissed accordingly.

**16.10.2019**  
*sandeep*

**(NIRMALJIT KAUR)**  
**JUDGE**

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