

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

CR No.5701 of 2019

Date of Decision : 17.10.2019

Rameshwar and others

..... Petitioners

Versus

Amar Nath and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Deepak Singh Saini, Advocate
for the petitioners.

SUDIP AHLUWALIA, J. (ORAL)

Mr. Satnam Singh Sishodia, Advocate for Mr. Ravinder Malik, Advocate puts in appearance on behalf of respondents No.1 to 5 by filing Vakalatnama of Mr. Ravinder Malik, Advocate, today in the Court; Be kept on record.

The grievance of the petitioners in this revision petition is that an order of *status quo* has been passed against them by the Ld. Civil Judge (Junior Division), Kurukshetra in the original suit, in which, the substantive proceedings have been held up for a long time on account of non-service of several of the 132 proforma defendants including the proforma defendants as also non-substitution of some of the deceased proforma defendants, whereas the petitioners themselves are the real contesting defendants No.1 to 11, and that no order on merits on the pending application of the respondents/plaintiffs under Order 39 Rules 1 and 2 of the CPC, has been forthcoming.

In view of the aforesaid submissions, the revision petition is disposed off with a direction upon the Ld. Trial Court to decide the pending application for temporary injunction under Order 39 Rules 1 and 2 of the CPC on merits as expeditiously as possible and preferably within a month from the date of communication of this order, and disposal of the said application shall not remain held up on account of the incomplete service of the proforma respondents in the suit.

(SUDIP AHLUWALIA)
JUDGE

October 17, 2019

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No