

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (227) No. 504 of 2020

Mohamad Aslam Khan, S/o Late Mohamamd Yusuf, Aged About 45 Years, Occupation- Businessman, R/o Ward No. 5, Pendra Road Gorela, Police Station- Gorela, Pendra, Marvahi (C.G.), District - Gorela, Pendra, Marvahi (C.G.)

--- Petitioner

Versus

1. Dharmendra Jhariya, S/o Shri B.P. Jhariya, Aged About 38 Years, R/o Hall Mukam Pendra Road Gorela, Police Station Gorela, Pendra, District - Gorela, Pendra, Marvahi (C.G.)
2. Branch Manager, Address – Mahindra & Mahindra Financial Service Limited, Ground Floor, Jaiswal Complex, Gurukul Vidhalay Ke Pass, Semara, Pendra Road, Pendra, District - Gorela, Pendra, Marvahi (C.G.)
3. Manager, Mahindra & Mahindra Financial Service Limited, Office Sector C- Plot 54/A, Sirgitti, Bilaspur (C.G.)

--- Respondents

For Petitioner : Mr. Sourabh Sharma, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15/12/2020

1. Heard.
2. Learned counsel for the petitioner submits that civil suit has been filed by the petitioner for grant of interim injunction. The application filed by the petitioner under Order 39 Rule 3 of the C.P.C. was dismissed by the learned court below vide order dated 28.11.2020 and notice has been issued to the respondents.

3. It is further submitted that if relief of interim injunction is not granted in favour of the petitioner, the purpose of filing the civil suit, shall be defeated.
4. Considered on the submissions and perused the documents that are present on record.
5. The present petition is disposed of at motion stage. However, the learned trial court is directed to consider on the application of the petitioner filed under Order 39 Rule 1 & 2 of the C.P.C. on urgent basis and pass order on the same within a period of one month from date of this order. It is also ordered that the status quo shall be maintained for a period of one month from today.
6. In view of the above, the instant writ petition is disposed of at motion stage itself.

Sd/-
(Rajendra Chandra Singh Samant)
Judge