

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

Date of decision: 18.02.2020

CR No.1198 of 2020

Gaje Singh

...Petitioner

Vs.

Gram Panchayat & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Jai Parkash Dhull, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

When ownership is disputed over the suit land in a suit for permanent injunction filed against the Gram Panchayat and the Block Development and Panchayat Officer, Kurukshetra and possession is disputed by the defendant-Gram Panchayat and open to evidence and proof, the question of granting a temporary stay against dispossession by this Court in proceedings in revising jurisdiction under Article 227 of the Constitution does not arise. Both the courts have turned down the request of the petitioners made under Order 39 Rules 1 & 2 CPC holding that prima facie it is not a fit case for grant of temporary injunction in favour of the plaintiffs. Thus, I find no jurisdictional error or legal infirmity in both the orders or in their reasoning and leave the parties to prosecute and defend the suit. The orders are upheld. Accordingly, the revision petition stands dismissed.

18.02.2020
Vimal

**[RAJIV NARAIN RAINA]
JUDGE**

Whether speaking/reasoned:
Whether Reportable:

Yes
Yes/No