114 IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CR-2578-2020(O&M)

Date of decision: 02.12.2020

M/S SAWAYA MOTORS PVT. LTD.

.....Petitioner

Versus

Jagdish Chander Sehrawat and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Shekhar Verma, Advocate for the petitioner

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-petitioner has filed this revision petition under Article 227 of the Constitution of India challenging the concurrent order passed by the Trial Court and Ist appellate court while dismissing the application for grant of interim mandatory injunction for restoration of the possession of the tenanted premises.

It is the case of the petitioner that the petitioner-Company was granted sub-lease by defendant no.1 on 3.1.2019. Defendant no.1 had himself taken the land in question on lease from one Rajbir in the year 2008. It is also the case of the petitioner that he was dispossessed by defendants on 3.11.2019. The plaintiff has filed a suit for possession by way of declaration with a further prayer to grant mandatory and permanent injunction.

It has been noticed by the learned First Appellate Court that the Company has filed this suit through Jitender Pannu against Jagdish Chander Sehrawat-defendant no.1. It is claimed by Jitender Pannu that

REKHA SIHAG
2020.12.04 13:50
I attest to the accuracy and
integrity of this document
chandigarh

he has 70% share holding in the Company whereas defendant no.1 alleges that he has 50% share.

Keeping in view the aforesaid facts, this Court does not find it appropriate to interfere with the concurrent orders passed by the learned courts below.

Hence, dismissed.

02.12.2020 **(ANIL KSHETARPAL)**
rekha **JUDGE**

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No

REKHA SIHAG
2020.12.04 13:50
I attest to the accuracy and
integrity of this document
chandigarh