

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

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IN VIRTUAL COURT

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CR No. 1361 of 2021 (O & M)

Date of decision : 28.9.2021

Jasvir Singh

.....Petitioner

Vs.

Sidhu Agri & Commercial Properties Ltd. and others **.....Respondents**

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Saurav Bhatia, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

CM No. 5920-CII of 2021 :

Allowed as prayed for.

Main Case :

This petition has been filed under Article 227 of the Constitution of India praying for setting aside the order dated 6.7.2021 (Annexure P-6), passed by the Additional civil Judge (Senior Division), Balachaur, whereby the interim stay granted vide order dated 28.4.2021 (Annexure P-4) has been vacated; and the order dated 14.7.2021 (Annexure P-9), passed by Additional District Judge, SBS Nagar; whereby the interim relief granted vide order dated 28.4.2021 has not been restored.

It is submitted by counsel for the petitioner that earlier the necessary process fees could not be furnished by the petitioner in time because of the prevalence of unfortunate COVID-19 pandemic situation. However, now the petitioner has even got the substituted service issued and effected by getting the notice published in newspaper; as was directed by the trial Court.

Hence, the reason for which the trial Court had vacated the ad-interim injunction stands removed. Therefore, the present petition be disposed of accordingly.

Having heard counsel for the petitioner and having perused the case file, this Court finds substance in the arguments of counsel for the petitioner. Undisputedly, the petitioner was granted ad-interim injunction and notice was issued. The petitioner could not furnish the process fees. This had resulted in the trial Court withdrawing the order of injunction which was passed in favour of the petitioner. However, now the order of the trial Court stands complied with and the notice has been got published in the newspaper; as directed by the trial Court. Hence, it would not be unjustified if the present petition is disposed of by ordering continuation of the ad-interim injunction granted by the trial Court.

Accordingly, the present petition is disposed of with an order that the ad-interim injunction dated 28.4.2021, passed by the trial Court, shall continue till the application for interim injunction is finally decided by the trial Court.

(RAJBIR SEHRAWAT)
JUDGE

28.9.2021

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No