

Sr. No. 111

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

CR-1410-2021

Date of decision: 08.09.2021

Supriya Arora and another

...Petitioners

Vs.

Jaiparkash Associates Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Supriya Garg, Advocate,
for the petitioners along with Petitioner No.1 in person.

Mr. Sumeet Mahajan, Senior Advocate with
Mr. Saksham Mahajan, Advocate and
Mr. Saurav Gautam, Advocate,
for respondent No.1.

Mr. Kanwaljeet Singh Senior Advocate with
Mr. Harmeet Singh, Advocate,
for respondents No.8 to 11.

ARUN MONGA, J. (ORAL)

After arguments were addressed and this Court showed its disinclination to interfere, learned counsel for the petitioners submits that certain observations made in the impugned order by the trial Court, are though only for the purpose of disposal of the application under order 39 Rule 1 & 2 of CPC, but the plaintiff's apprehension is that same may come in the way at the time of final order/judgment to be passed by the trial Court. The said apprehension seems to be completely unfounded, inasmuch as, the impugned order itself concludes with the following observations:

"Nothing expressed hereinabove shall be deemed to be an expression of opinion on the merits of the case."

2. However, just to allay the unfounded fears of the plaintiff-petitioners, it is reiterated that trial Court shall not be influenced by the observations made in the impugned interim order and shall proceed on merits of the case

uninfluenced by the observations made therein and, decide the it on the basis of respective evidence adduced by the parties.

3. In the parting I may hasten to add, needless though, any observations made for disposal of an interim relief application, are only prima facie, for the purpose of deciding the application alone.

08.09.2021

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No