

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

Sr. No.110

**Civil Revision No.1899 of 2021**

**Date of Decision : October 13, 2021**

Krishna

...Petitioner

Versus

Raj Kapoor

...Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Himanshu Sharma, Advocate, for the petitioner.

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**SUDHIR MITTAL, J. (ORAL)**

The petitioner is the plaintiff. She has filed a suit for declaration that she is owner in possession of land measuring 200 Sq. Yds. and has sought consequential relief of injunction restraining the defendant from interfering in her possession. Along with the plaint, an application under Order 39, Rules 1 & 2 CPC was also filed. This application was allowed by the trial Court and defendant was restrained from alienating the suit property during the pendency of the suit and also from interfering in the possession of the plaintiff. However, appeal filed by the defendant has succeeded and injunction has been vacated.

Learned counsel for the petitioner has submitted that the defendant has admitted in the written statement that he had agreed to purchase the suit property from the plaintiff by virtue of an unregistered agreement to sell. This would prima facie establish that plaintiff had title of the suit property. Thus, the Appellate Court was in error in vacating the order of injunction.

In view of the above, the revision petition has no merit and is dismissed.

**(SUDHIR MITTAL)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

## Whether Reportable

Yes/No