

Sursati Devi

....Petitioner

VS

Kuldeep and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Lupil Gupta, Advocate for the petitioner

SUDHIR MITTAL, J. (Oral)

Vide impugned order dated 14.10.2021, the trial Court has rejected prayer for grant of interim relief for restraining the defendants from changing the nature of the suit property.

A perusal of the impugned order shows that the plaintiff has filed a suit for permanent injunction restraining the defendant from interfering in his user of a *rasta* on the basis of order dated 19.09.2011 passed by the Assistant Collector 2nd Grade Dabwali. The said order has been set aside by the appellate Court vide its order dated 30.01.2012. Thus, the prayer for interim relief has been rejected.

Learned counsel for the petitioner has submitted that the plaintiff-petitioner has been using the *rasta* for many years and interference therewith would cause grave prejudice to her. Thus, the trial Court was in error in rejecting the prayer for interim relief.

The argument can not be accepted as no error has been pointed out in the impugned order. It has not been argued that order dated 19.09.2011 has not been set aside vide order dated 30.01.2012 and that the finding in this regard is factually incorrect.

Thus, the revision petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

16.11.2021

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