

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 3426 of 2021

Date of Decision: 21.12.2021

Roop Chand

... Petitioner(s)

Versus

M/s Active Promoters Private Limited and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Pawan Kumar, Senior Advocate
with Mr. Surya Kumar, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The petitioner is a plaintiff in the suit pending before the trial Court. The petitioner's application, under Order XXXIX Rules 1 & 2 CPC, for grant of temporary injunction restraining the defendants from interfering in his possession, was dismissed by the trial Court vide an order dated 07.12.2016, which was affirmed by the First Appellate Court while dismissing the Civil Misc. Appeal vide an order dated 22.10.2021. Both the Courts below have concurrently found out that the petitioner filed the suit by concealing the order of partition dated 29.12.2008.

2. The learned senior counsel representing the petitioner contends that the partition proceedings are yet to be finalized and the matter is likely to be challenged by filing a writ petition.

3. In the considered view of this Court, if the petitioner wishes to challenge the order passed by the authorities, he may do so, however, that

cannot be a ground to keep this revision petition pending. The respondents have purchased the property through the various sale deeds from (a) to (p), specified in para No.5 of the order passed by the First Appellate Court.

4. Keeping in view the aforesaid facts, no ground is made out to interfere. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

December 21, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No