

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

Sr. No.120+313

**CR-506-2022 (O&M)
Date of Decision: 01.08.2022**

VEENA ANAND

...Petitioner

VERSUS

M/S GSM TECHNOLOGIES PVT. LTD. AND OTHERS

..Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Narender Hooda, Senior Advocate, assisted by
Mr. Karanvir Hooda, Advocate, and
Mr. Dharambir Bhargav, Advocate,
for the applicant-petitioner.

Mr. Tushar Sharma, Advocate,
for respondent No.1.

Mr. Anmol Dutt Sharma, Advocate, for
Mr. Ankur Mittal, Advocate,
for respondent No.2-HSIIDC.

ARCHANA PURI, J.

Present revision petition has been filed for setting aside the impugned order dated 28.01.2022 (Annexure P-1) passed by learned Civil Judge (Junior Division).

At this stage, learned Senior Counsel representing the applicant-petitioner, Veena Anand, had filed a suit for specific performance against M/s GSM Technologies Pvt. Ltd., qua which consent decree dated 22.12.2021 was passed. However, the appeal was filed by respondent No.1-M/s GSM Technologies Pvt. Ltd., to challenge the aforesaid consent decree and the same was dismissed on 07.03.2022, as being not maintainable.

Further the respondent No.1 had filed a separate suit, thereby seeking injunction against the consent decree and consequential relief of registration of the same. In the said suit, the petitioner was not even

impleaded as a party and only HSIIDC and Sub-Registrar were impleaded as party. The said suit is pending before the Court of Civil Judge (Junior Division) and the impugned order dated 28.01.2022 has been passed in the said suit, whereby direction has been given that no permission be granted for transfer of the suit property by defendant No.1-HSIIDC.

However, it is now submitted that the petitioner has filed an application under Order 1 Rule 10 CPC, to be impleaded as party in the said suit, which is Annexure P-21. Also, another application has been filed by the petitioner under Order 39 Rule 4 CPC, thereby seeking vacation of the interim order dated 28.01.2022, which forms the basis of the possession in the present revision petition.

It is submitted by learned counsel that the petitioner would be satisfied if both the aforesaid applications are disposed of by learned Lower Court.

At this stage, learned counsel for respondent No.1-GSM Technologies Pvt. Ltd. submits that the pleadings of the aforesaid applications are complete and now, the case is fixed for 12.08.2022 for arguments.

In view of the aforesaid assertions, the instant revision petition is disposed of with direction to learned Trial Court to consider expeditious disposal of the aforesaid applications, in accordance with law, within a period of one month from the date of communication of this order.

01.08.2022

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No