

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

124

CR-677-2022

DATE OF DECISION: 02.03.2022

SANDEEP SETH

... Petitioner(s)

Versus

ZILA PARISHAD, BATHINDA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rajan Bansal, Advocate for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 27.07.2021 (Annexure P-3) whereby his application under Order 39 Rules 1 & 2 read with Section 151 CPC has been dismissed as well as the order passed by the lower appellate court on 16.12.2021 (Annexure P-5) whereby his appeal has been dismissed.

Learned counsel for the petitioner contends that the petitioner had taken two shops on lease and had been paying rent regularly. He further contends that the respondent is trying to dispossess the petitioner and demolish the building.

Heard.

The petitioner is stated to have taken the property, which consists of two shops, on licence from the respondent-Zila Parishad in December 2006. The petitioner had preferred a suit for permanent injunction restraining the respondent (defendant) from dispossessing him from the peaceful possession. A statement had been made on behalf of the respondent that it shall not dispossess the petitioner (plaintiff) from the shop in question illegally and forcibly except in due course of law. It is also stated that the respondent had preferred an eviction application before the DDPO-cum-Collector for eviction of the petitioner (plaintiff).

In view of the above, especially when the respondent had made a statement that the petitioner would not be dispossessed except in due course of law and eviction petition is pending adjudication, I do not find any infirmity in the orders of the Courts below declining the application for *ad interim* injunction.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

02.03.2022

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No