

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 559 of 2021 (O&M)

Date of Decision: 31.10.2022

Municipal Council Bhawanigarh

... Petitioner(s)

Versus

Gurmel Singh

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Vikas Singh, Advocate
for the petitioner(s).

Mr. Tribhavan Singla, Advocate
for the respondent.

Anil Kshetarpal, J.

1. Through this revision petition, the correctness of an interlocutory order passed by the First Appellate Court, while reversing an interlocutory order passed by the trial Court, has been questioned.

2. The dispute is with regard to the correctness of the decision of the First Appellate Court while deciding an application seeking temporary injunction under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure, 1908.

3. The learned counsel for the parties are *ad idem* that in view of the recent judgment passed by the Supreme Court in ***State of Haryana v. Jai Singh 2022(2) RCR (Civil) 803***, let the First Appellate Court be directed to decide the application afresh.

4. Keeping in view the aforesaid facts, the present revision petition is allowed and the order passed by the First Appellate Court on

application afresh. The parties, through their learned counsel, are directed to appear before the First Appellate Court on 29.11.2011.

5. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

October 31, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No