

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

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**CR-1515 of 2020 (O&M)
Date of decision: 17.11.2022**

Naval Kamboj

..Petitioner

Versus

Sunita and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Varun Dutta, Advocate
for the petitioner.

Mr. Puneet Jindal, Sr. Advocate, with
Mr. Tejinder Pal Singh, Advocate
for the respondents.

ANIL KSHETARPAL, J(Oral)

Challenging the correctness of the order passed by the Additional District Judge, Jalandhar, the plaintiff has filed the present revision petition.

The First Appellate Court has reversed the temporary injunction granted in favour of the petitioner (plaintiff in the suit for grant of injunction).

The relevant facts, in brief, are required to be noticed.

M/s Supreme Engineering Corporation owned an industrial plot measuring 15 Marlas. Late Sh. Piare Lal and Smt. Sunita wife of Sh. Krishan Gopal son of late Sh. Piare Lal were partners to the extent of equal share. Smt. Sunita filed a suit for partition of the property alleging that late Sh. Piare Lal is not giving her share of the property. A preliminary decree for partition was passed on 28.07.2015. The aforesaid preliminary decree has become final as the High Court dismissed the appeal. Even the final

decree for partition has been passed on 25.09.2019. The petitioner herein is son of late Sh. Piare Lal. The petitioner claims that he is a tenant in the suit property. In the previous litigation the plea of Sh. Naval Kishore that he is a tenant has already been disbelieved by the court below.

Keeping in view the aforesaid facts, First Appellate Court has refused to grant the injunction to the petitioner. Moreover, now even a final decree has been passed in the said suit.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

November 17, 2022

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(ANIL KSHETARPAL)
JUDGE

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