

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1572 of 2022

Date of Decision: 29.04.2022

Deepa

... Petitioner(s)

Versus

Rishipal

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Johan Kumar, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The learned counsel representing the petitioner contends that the both the Courts below have wrongly observed that the suit filed by the plaintiff is not maintainable. He relies upon the judgment passed by the Supreme Court in *State of Maharashtra v. Narayan Rao Sham Rao Deshmukh and Others (1985) 2 SCC 321*.

2. Both the Courts below have made certain observations while dismissing the application under Order XXXIX Rule 1 and 2 CPC. The petitioner wants a restraint order against her father to alienate the suit property. The plaintiff is yet to establish her right in the property. In any case, alienation, if any made, is subject to the rule of *lis pendens*.

3. With the observations made above, the present revision petition is disposed of.

(Anil Kshetarpal)
Judge

April 29, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No