

**In the High Court of Punjab and Haryana, at Chandigarh**

**Civil Revision No. 2346 of 2022**

**Date of Decision: 05.07.2022**

Jai Parkash Narayana

... Petitioner(s)

Versus

Dharampal and Others

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

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

**Anil Kshetarpal, J.**

1. Admittedly, the parties are co-sharers. The plaintiff has already raised construction. When the defendants, who are also co-sharers, started construction, the plaintiff filed an application under Order XXXIX Rule 1 and 2 CPC restraining the defendants from raising construction. Both the Courts below have dismissed the application on the ground that the plaintiff has already constructed 16 shops and a house in the joint property.
2. The defendants also claim that in an oral family partition, which took place 32 to 33 years back, the parties divided the property and thereafter, the plaintiff has constructed 16 shops.
3. Keeping in view the aforesaid facts, no ground is made out to interfere. Hence, the present revision petition is dismissed.

**(Anil Kshetarpal)  
Judge**

**July 05, 2022**

**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No