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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2622-2022 (O&M)

Date of decision : 13.07.2022

Rishal Kaur

...Petitioner

Vs.

Deepak @ Bablu and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Narender Kaajla, Advocate
for the petitioner.

MANOJ BAJAJ, J.

Petitioner, a senior citizen, brought a suit seeking decree of permanent injunction against the defendants, is aggrieved against the order dated 09.05.2022 (Annexure P-2), as well as the order dated 31.05.2022 (Annexure P-4), whereby Additional Civil Judge (Senior Division) Charkhi Dadri firstly, issued the notice of the suit to the defendants for 19.09.2022 by completely ignoring the nature of interim relief prayed for separately by way of an application under Order 39 Rule 1 and 2 Code of Civil Procedure, and later refused early hearing by dismissing the application for recalling the order.

Learned counsel has argued that the Court has noticed the total number of pending cases before it and refused to even accept the prayer for recalling the initial order, therefore, in these compelling circumstances, the petitioner/plaintiff is invoking the power of superintendence under Article 227 Constitution of India.

Heard.

Considering the above background, particularly the fact that the miscellaneous application filed under Order 39 Rule 1 and 2 Code of Civil Procedure remains untouched, the petition is disposed of with a direction to Additional Civil Judge (Senior Division), Charkhi Dadri to take up the matter and decide the same at the earliest.

(MANOJ BAJAJ)
JUDGE

13.07.2022
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No