

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

**CR-5099 of 2019(O&M)
Date of decision: 13.07.2022**

Vipin Sharma

...Petitioner

Versus

Shri Aabid and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. H.S.Jugait, Advocate,
for the petitioner.**

**Mr. Amit Jain, Advocate,
for the respondents.**

ANIL KSHETARPAL, J (Oral)

An application filed under order 39 Rule 1 & 2 CPC has been dismissed by both the courts below. The petitioner (plaintiff) assails its correctness. It has come on the record that Smt. Shail Sharma sold a plot measuring 500 sq. yds. to Dr. Johri Lal Sharma. It was surrounded by the streets on the two sides and the other two sides of the property were bordered by the properties of Dev Samaj and M.B.Kaushik. The plaintiffs is a son of Smt. Shail Sharma. Dr. Johri Lal Sharma has transferred the property to his son Dr. Amit Sharma, who in turn sold the property to the defendants by executing the various registered sale deeds.

Now Smt. Shail Sharma's son has filed the present suit for partition. Both the courts while dismissing the application for grant of injunction have observed that the availability of any other area i.e. another share of property with Smt. Shail Sharma is doubtful.

Hence, no ground to interfere is made out.

Dismissed.

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

July 13, 2022
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(ANIL KSHETARPAL)
JUDGE

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