

123

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-3182-2022 (O&M)

Date of Decision:05.09.2022

AJIT SINGH (DECEASED TH LR) AND OTHERS

.. Petitioners

Vs.

THE CHIEF ADMINISTRATOR HSVP AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Adarsh Jain, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

This revision petition has been filed by petitioners under Article 227 Constitution of India for modification of order dated 25.05.2022 passed by trial Court, only to the extent of directing defendant HSVP to reflect pendency of litigation qua the suit property in their auction notices and publication, who do not press their prayer for stay of auction proceedings, during the pendency of their application under Order 39 & Rules 1 & 2 CPC.

During the course of hearing, it is not disputed by learned counsel that the petitioners have already challenged the notifications under Sections 4 and 6 respectively issued for acquisition of subject land, under Land Acquisition Act, 1894, wherein no clear interim stay is granted in favour of the petitioners, however, according to the learned counsel, it is observed by Writ Court that the development work pursuant to the impugned acquisition shall be subject to the final decision of the writ petition.

Learned counsel submits that the present revision petition arises from an order dated 25.05.2022 passed by Civil Judge (Sr. Divn.), Gurugram, whereby no interim injunction has been granted upon his application under Order XXXIX Rules 1 and 2 CPC, though the same is yet to be decided finally.

Considering the above background, particularly the nature of the suit and the fact that the injunction application filed by the petitioners under Order XXXIX Rules 1 and 2 CPC is yet to be adjudicated upon, this Court is not inclined to exercise the superintendence powers.

Dismissed.

05.09.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No