

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

121

CR-6215 of 2019(O&M)
Date of decision: 24.08.2022

Kunal

..Petitioner

Versus

Munish Kumar and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikas Bali, Advocate, for the petitioner.
Mr. Darshan Singh Sidhu, Advocate, for respondent no.1

ANIL KSHETARPAL, J(Oral)

In a pending suit for grant of decree of permanent injunction, defendant no.2-late Sh. Surinder Mohan died. An application was filed to bring on record his legal representatives including Widow, Kunal (defendant no.1), Karan Taluja and Hitesh Taluja. The application has been dismissed on the ground that the relief of permanent injunction is personal in nature and therefore, the right to sue does not survive against the legal heirs.

The application was filed by defendant no.1, who is one of the legal heirs.

The dispute is with regard to the immovable property. In such circumstances, the legal representative has a right to contest the suit. Hence, the order under challenge is set aside. The revision petition stands allowed. The application for bringing on record the legal representative shall stand allowed, subject to all the just exceptions.

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

August 24, 2022

(ANIL KSHETARPAL)
JUDGE

nt

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