

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

130

CR-743-2023 (O&M)
Date of decision: 28.07.2023

HARPREET KAUR

....Petitioner

Versus

TARANJEET SINGH AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr.Parveen Chauhan, Advocate for the petitioner.

Mr. Kanwaljeet Singh Cheema, Advocate
for respondent No.1.

ANIL KSHETARPAL. J.(Oral)

1. The petitioner before this Court has filed a suit against her husband and her in-laws. She prays for the recovery of alleged dowry articles or alternative unliquidated cost of the dowry articles with a consequential relief for mandatory and permanent injunction. An application filed under Order XXXIX Rule 1 and 2 to stay the alienation of the Innova vehicle has been dismissed by both the Courts below.

2. Learned counsel representing the petitioner submits that there is a prima facie material which shows that the vehicle was purchased from the funds withdrawn from the account of the petitioner. He submits that both the Courts have erred in dismissing the application.

3. This Court has considered the submission and has analysed the arguments of learned counsel before granting injunction. The plaintiff is required

to prove the prima facie case in her favour, the balance of convenience and irreparable loss and injury. The petitioner herself has made an alternative prayer for the grant of value of the alleged dowry articles. The alleged Innova vehicle was purchased in the year 2018, and its value will depreciate with each passing year. In such a situation, it would not be appropriate to stay its alienation.

4. Keeping in view the aforesaid facts, this Court is not expected to interfere.

5. Dismissed.

(ANIL KSHETARPAL)
JUDGE

July 28, 2023
Amandeep

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