

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 3575 of 2023****Date of Decision: 03.07.2023**

Santosh Kumar

... Petitioner(s)

Versus

Anirudh Kumar Mangla and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Baljeet Beniwal, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1, In an appeal filed against the order dismissing the application under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908 (hereinafter referred to as “CPC”), the petitioner’s application for seeking directions to the respondents to produce the original agreement to sell and the receipt, has been dismissed. The present revision petition has been filed challenging its correctness.

2. The learned counsel representing the petitioner contends that unless the original agreement to sell and the receipt are produced, the petitioner will not be in a position to prove that the interim order passed by the Court below was valid.

3. On a Court question, the learned counsel representing the petitioner admits that the suit filed by the petitioner has been dismissed against which a separate appeal was filed, which has also been dismissed.

The learned counsel submits that now a second appeal is pending in the

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Court.

4. In the proceedings under Order XXXIX Rule 2A CPC, the only issue which requires adjudication is as to “whether the respondents have violated the interim order or not?” In the proceedings under Order XXXIX Rule 2A CPC, the production or non-production of the agreement is neither relevant nor necessary.
5. Keeping in view the observations made above, the present revision petition is disposed of.

(Anil Kshetarpal)
Judge

July 03, 2023
“DK”

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