

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 3856 of 2023****Date of Decision: 13.07.2023**

Vijay alias Vijay Pal

... Petitioner(s)

Versus

Smt. Sheela Devi and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Manoj Kumar Sood, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The civil suit filed by the petitioner for grant of decree of permanent injunction restraining the defendants from interfering in his peaceful possession and for alienation of the property in any manner is stated to be pending. Along with the plaint, the petitioner is stated to have filed an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 (hereinafter referred to as “the CPC”) for grant of temporary injunction.

2. In the present revision petition filed under Article 227 of the Constitution of India, the petitioner prays for setting aside the order dated 22.05.2023 vide which an application filed for advancing the date of hearing was dismissed after noticing that the main case is listed for hearing on 12.07.2023.

3. An application filed by the defendants for rejection of the plaint under Order VII Rule 11 of the CPC is also stated to be pending.

Civil Revision No. 3856 of 2023

4. The learned counsel representing the petitioner admits that arguments on the application under Order VII Rule 11 of the CPC have been heard and the case has been kept reserved for today for orders.

5. Keeping in view the aforesaid facts, the revision petition is disposed of with the observation that if the Court below holds that the proceedings of the suit will continue, then the application filed by the plaintiff for grant of temporary injunction will be considered and finally decided within a period of one month, positively, from today.

(Anil Kshetarpal)
Judge

July 13, 2023
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No