

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-5123-2023(O&M)
Date of Decision: 21.09.2023

TARUNDEEP KAURAppellant

Vs

SWEETY DEVGAN AND ANOTHERRespondents

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH
HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Rose Gupta, Advocate,
Mr. Sukhvinder Singh Plaha, Advocate and
Ms. Pridhi Singla, Advocate
for the appellant.

RAJ MOHAN SINGH, J.(Oral)

[1]. The appellant has assailed the order dated 31.05.2023 passed by the Principal Judge, Family Court, Fatehgarh Sahib, thereby declining to restrain the respondents from alienating the suit property, however, in order to avoid multiplicity of litigation and to achieve ends of justice, the respondents have been granted liberty to sell the land only with prior permission/leave of the Court during pendency of the suit.

[2]. The order in question is innocuous enough to be appreciated in the light of interlocutory order dated 23.11.2022,

which was passed at the preliminary stage of the suit, where even presence of the respondents was ordered to be secured. Vide the aforesaid order, the respondents were restrained from alienating the suit property till the next date of hearing.

[3]. The impugned order is fully in consonance with the interest of the parties. The interest of the appellant has been duly safe-guarded. Even otherwise, in the light of order dated 23.11.2022, the respondents were not precluded from leave of the Court in order to part with the property. No prejudice is going to be caused to the interest of the applicant-appellant.

[4]. We find no justification to interfere in the impugned order. The present appeal is dismissed. Since the appeal is dismissed on merits, therefore, there is no need to consider the applications under Section 5 of the Limitation Act for re-filing and filling the present appeal and the same are accordingly disposed of.

**(RAJ MOHAN SINGH)
JUDGE**

**(HARPREET SINGH BRAR)
JUDGE**

*21.09.2023
Prince*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No