

2023:PHHC:119782

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

CR-5284-2023(O&M)
Date of Decision:12.09.2023

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JAGWINDER SINGH AND ORS*Petitioners*
Versus
HARJINDER SINGH AND ANR*Respondents*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Kamal Jindal, Advocate for the petitioners.

GURBIR SINGH, J (ORAL)

The present revision petition is filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 03.08.2023 passed by learned Additional Civil Judge (Senior Division), Dabwali (Annexure P-1) vide which interim relief for temporary injunction was declined.

Learned counsel for the petitioners submits that when the Court without application of mind, has adjourned the case or issued notice, then only remedy available to the petitioner is to invoke the jurisdiction of the Revisional Court.

When faced with the situation that the impugned order has been passed after application mind and in view of the Full Bench judgment of Hon'ble Allahabad High Court rendered in *H.Bevis and Co., Kanpur Vs. Ram Behari and others: Law Finder Doc ID:295361 1951 AIR (Allahabad)*, that such order is appealable, the learned counsel for the petitioners seeks to withdraw the present petition with liberty to avail an alternative remedy, in accordance with law.

Dismissed as withdrawn at this stage with liberty aforesaid.

12.09.2023
renu

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No