

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.138

Case No. : CR No.4664 of 2023

Date of Decision : August 18, 2023

Ajit Singh

.... Petitioner

vs.

Amit Dhawan and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Aditya Anand, Advocate
for the petitioner.

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GURBIR SINGH, J. :

1. This is Civil Revision under Article 227 of the Constitution of India for giving direction to the learned Trial Court to decide the application under Order 39 Rules 1 and 2 read with Section 151 CPC (Annexure P-2).

2. It is submitted that in the Civil Suit bearing CIS No.CSCJ/1732/2022, filed on 26.09.2022 by respondent no.1 , the afore-said application was moved for grant of interim injunction. The ex-parte ad-interim injunction was issued on 27.09.2022 directing the parties to maintain status quo till 20.12.2022. The petitioner appeared in the Court on the very first date, filed the written statement to the suit and reply to the application but the said application is still pending. Since ad-interim order was passed ex-parte, so the application was required to be decided within 30 days. Even orders have been issued by this Court on 16.05.2023 (Annexure P-15) for disposing of such applications within a period of one month.

3. It is the admitted position that the ex-parte ad-interim injunction was issued on 27.09.2022 and application for temporary injunction is yet not disposed of. As per zimni order dated 21.04.2023 (Annexure P-8), service of defendants is complete. Therefore, with a view to avoid further delay in the adjudication of the matter by the Trial Court, and also to save the respondents from incurring immediate expenses to appear in this Court and with a view to avoid any extra burden on the respondents, the present revision petition is disposed of with a direction to the concerned Trial Court to dispose of the application for grant of temporary injunction filed under Order 39 Rule 1 and 2 within three weeks from 26.09.2023 i.e. the next date fixed before the Trial Court in this case.
4. In case the respondents feel dissatisfied with this order, they can move application within 30 days to recall the same.
5. Disposed of in the aforesaid terms.
6. Pending applications, if any, shall stand disposed of along with this judgment.

August 18, 2023
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.