

131.

2023:PHHC:121133

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-5315-2023

Date of decision: 14.09.2023

SUB DIVISIONAL OFFICER, "OP" SUB DIVISION, UHBVN,
CHHACHHRAULI, AND OTHERS

.... Petitioners

Versus

SHAKUNTLA MADHIA

.... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Baldev Raj Mahajan, Senior Advocate with
Mr. Arvind Seth, Advocate and
Ms. Nikita Goel, Advocate, for the petitioner.

GURBIR SINGH, J. (Oral)

Prayer in this revision petition filed under Article 227 of the Constitution of India is for setting aside the order dated 27.06.2023 (Annexure P-1) passed by learned Vacation Judge-cum-Civil Judge (Junior Division), Sub Division, Bilaspur, vide which interim injunction has been granted to the respondent-plaintiff and the petitioners/respondents have been directed to provide fresh electricity connection to the respondent-plaintiff.

Learned senior counsel appearing on behalf of the petitioner submits that ex-parte interim injunction was passed on 27.06.2023 (Annexure P-1). The petitioner appeared in the court and filed written statement and reply to the stay application, but the application has not yet decided. Learned senior counsel submits that he be allowed to withdraw the

present revision petition with liberty to raise all points before the learned trial Court and directions be given to the learned trial Court to decide the application expeditiously. He has referred to Order XXXIX Rule 3A CPC, which reads as under:-

“3A. Court to dispose of application for injunction within thirty days.—Where an injunction has been granted without giving notice to the opposite party, the Court shall make an endeavour to finally dispose of the application within thirty days from the date on which the injunction was granted; and where it is unable so to do, it shall record its reasons for such inability.”

In view of statement made, the present revision petition stands dismissed as withdrawn with liberty aforesaid. Learned trial Court is directed to decide the application moved by the respondent-plaintiff for grant of temporary injunction within two weeks before the next date of hearing fixed in the case.

From time to time, instructions have also been issued to dispose of the application for grant of temporary injunction within 30 days in which ex-parte interim order is passed. The learned District Judge, Yamuna Nagar is directed to sent the report.

(GURBIR SINGH)
JUDGE

September 14, 2023
sanjeev

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