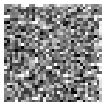


IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

119

2024.PHHC:068245



CR-2305-2017
Date of decision: 15.05.2024

RAJINDER KAUR ..Petitioner

Versus

HARDEV SINGH AND ORS. ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Manvender Singh Dalal, Advocate
for the petitioner.

Mr. Namit Gautam, Advocate
for respondent No.1

ANIL KSHETARPAL, J(Oral)

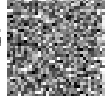
1. The petitioner's application for impleading her as defendant in the pending suit was dismissed by the trial Court.
2. The suit has been filed by the petitioner's uncle for recovery of Rs.72,45,000/- with a consequential relief of permanent injunction against her husband and Punjab National Bank. The learned counsel representing the petitioner while drawing the attention of the Court to the following prayer made in the suit claims that the application could not have been dismissed as the relief has been sought not only against the petitioner's husband but also against the petitioner:-

"It is, therefore, prayed that a decree for recovery of Rs.72,45,000/- as principal and interest detailed as below:-

*a) Principal amount Rs.63,00,000/-
b) Interest @ 12% pa
w.e.f. 18.4.2012 to the date of Rs.9,45,000/-
filing of the present suit.
Total : Rs.72,45,000/-*

And also along with future interest at the rate of 12% pa from the date of filing of the suit till realization of the suit amount;

And



Degree for the grant of permanent injunction restraining the defendant no.1 from alienating, disposing of or selling the property detailed as below, till the amount in suit is paid back to the plaintiff:-

a) 1/4th share in the land measuring 26B-18B-13B, comprised in Khasra No. 1998, 1938, 1941, 1942, 1943, 1944, 1950, 1951, 2252, 2253, 2254, 1405, 1408, 1410, Khata No. 644/784, as per jamabandi for the year 2007-08, situated at Village Dhandra-I, Hadbast No. 274, Tehsil Ludhiana West, District Ludhiana.

b) 1/4th Share in the land measuring 7B-OB-OB comprised in Khasra No. 2248, 2249, 2251, 1409, Khata No.400/488, as per jamabandi for the year 2007-08, situated at Village Dhandra-I, Hadbast No. 274, Tehsil Ludhiana West, District Ludhiana.

And

Degree for the grant of permanent injunction restraining the defendant no.1 and 2 from withdrawing the amount lying in the following accounts:-

a) Account No. 1528000104321698 in PNB, Dhandra, Ludhiana, in the name of Shivsher Singh and Rajinder Kaur.

b) Account No. 1528000100066702 in PNB, Dhandra, Ludhiana, in the name of Shivsher Singh and Rajinder Kaur.

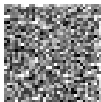
c) Account No. 1528000101313449 in PNB, Dhandra, Ludhiana, in the name of Shivsher Singh.

d) Account No. 1528000104325454 in PNB, Dhandra, Ludhiana, in the name of Shivsher Singh.

And also restraining the defendant no.1 from encashing the FDRs held by him in his name and also restraining the defendant no.2 from allowing the defendna tno.1 to operate the above said accounts, till the defendant tno. 1 makes the entire payment to the plaintiff, as claimed in the present suit, be passed in favour of the plaintiff and against the defendants with costs.”

3. Per contra, the learned counsel representing the plaintiff submits that the case is now at the stage of final arguments and the plaintiff would not claim any relief of injunction with respect to accounts under

Clause (a) and (b) under the heading of ‘relief of injunction’ i.e. (a) and (b):-



“a) Account No.1528000104321698 in PNB, Dhandra, Ludhiana, in the name of Shivsher Singh and Rajinder Kaur.
b) Account No.1528000100066702 in PNB, Dhandra, Ludhiana, in the name of Shivsher Singh and Rajinder Kaur.”

- 4. Keeping in view the aforesaid statement of the learned counsel representing the plaintiff, the learned counsel representing the petitioner prays for disposal of the revision petition.
- 5. Ordered accordingly.
- 6. It is clarified that no decree qua the aforesaid two accounts shall be passed by the Court in this suit.
- 7. All the pending miscellaneous applications, if any, are also disposed of.

May 15th, 2024
Ay

(ANIL KSHETARPAL)
JUDGE

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