



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
128**

CR-3998-2024 (O&M)

Date of decision: 19.07.2024

SATISH KUMAR THROUGH HIS LRS AND OTHERS

.....PETITIONERS

V/S

GHANSHYAM DASS AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Saurabh Bajaj, Advocate,
for the petitioners.

RITU TAGORE, J. (ORAL)

1. Prayer in this revision petition is for setting aside the impugned order dated 31.05.2024 (Annexure P-7), passed by the learned Additional Civil Judge (Sr. Division), Ganaur, vide which the learned Lower Court declined to stay the construction over the suit land.
2. Given the limited prayer, the issuance of notice to the respondents is dispensed with.
3. Learned counsel for the petitioners restricts his prayer to issue directions to the learned Court to decide the application under Order 39 Rule 1 and 2 CPC moved by the petitioners, on or before the date fixed.
4. I have heard the learned counsel for the petitioners and with his able assistance, have gone through the paper-book.
5. Perusal of the paper-book shows that the learned trial Court while passing the impugned order dated 31.05.2024 did not finally decide the application for interim injunction, though it passed a detailed order, that

necessitated the petitioners, LR of deceased plaintiff to file the present revision.

Next date of hearing before the learned trial Court is 21.08.2024.

6. In view of the above, learned trial Court is directed to decide the interim application moved by the petitioners preferably on the date of hearing scheduled before the trial Court i.e. 21.08.2024 or 15 days thereafter keeping in view the convenience of the counsel for the parties. Furthermore, learned trial Court shall decide the application without being influenced by the observations made in the impugned order.

7. Needless to mention, the concerned parties shall cooperate with the learned Court in expeditious disposal of the application.

8. In view of the above, this revision Petition stands disposed of accordingly.

9. Pending applications, if any, also stands disposed of accordingly.

July 19, 2024

pj

**(RITU TAGORE)
JUDGE**

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