



CM-24147-CII-2025 in/and
CR No.2304 of 2024 (O&M)

1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

113+219

CM-24147-CII-2025 in/and
Civil Revision No.2304 of 2024 (O&M)
Date of decision: December 5th, 2025

Rajinder Singh @ Rajinder Pal Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mandeep Singh Sachdev, Senior Advocate
with Mr. Rahul Sharma, Advocate
for the petitioners.

Mr. Sandeep Singh, Assistant Advocate General, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition under Article 227 of the Constitution of India for setting aside the order dated 07.02.2024 (Annexure P-1) passed by the Additional District Judge, Jalandhar, whereby appeal filed by the respondents has been allowed.

2. Learned senior counsel for the petitioners has submitted that in the present case, suit for declaration that plaintiffs are joint owners and in joint possession of the land was filed and has further submitted that it is the petitioners/plaintiffs along with other co-sharers, who had been shown as owners of the property in question but suddenly, mutation No.19946 of 2015 was entered in the month of July 2015 without any basis. It is submitted that it was the case of the respondents/State that they had acquired the land but till date no notification under Section 4 or Section 6 of the Land Acquisition Act, has been produced, although the case is at its fag end as the evidence of



CM-24147-CII-2025 in/and
CR No.2304 of 2024 (O&M)

2

the plaintiffs has been completed and even substantial evidence of the defendants has also been completed. It is submitted that only a photocopy of the award passed in the year 1958 has been produced by the State of Punjab and in that also, there is no reference of any *khasra* numbers, much less, *khasra* numbers which are in dispute. It is submitted that in the said circumstances, the suit is maintainable. It is further argued that since the case is at the final stage, thus, the trial Court be requested to decide the same expeditiously de hors the observations made by the Courts and has further submitted that till the time the case is not decided, *status quo* regarding possession be maintained.

3. Learned counsel for the respondents/State has opposed the present petition and has submitted that the land in question was duly acquired and on instructions from Mr. Yuvraj, Zileadar, Water Resources Department, Punjab, has further submitted that the notifications under Section 4 and 6 of the Land Acquisition Act are being searched and after finding the same, the same would be produced before the trial Court. It is submitted that it is in fact the State of Punjab which is in possession of the land in question. It is further submitted that in case the present petition is to be disposed of by maintaining *status quo* regarding possession, then the same should not be construed as an expression on the merits of the case in favour of the petitioners and the respondents/State should be granted liberty to raise all pleas before the trial Court, which would be considered in accordance with law by the trial Court. Learned counsel for the respondents/State has further submitted that the main suit be decided de hors



CM-24147-CII-2025 in/and
CR No.2304 of 2024 (O&M)

3

the observations made by the Courts.

4. Keeping in view the fair stand taken on behalf of the petitioners as well as the respondents and with their consent, the present revision petition is disposed of with the following directions/observations:

- (i) *Status quo* regarding possession, as it exists today, will be maintained till the time the suit is finally decided. The grant of the said *status quo* order should not be construed as an expression on the merits of the case. The trial Court would decide the main suit on the basis of the documents and evidence on record dehors the observations made by the trial Court as well as the Appellate Court while deciding the application under Order 39 Rules 1 and 2 CPC, as it is a matter of settled law that the said observations are only for the purpose of deciding interim application and the same have no bearing on the decision of the main case. It would be open to both the parties to raise all the pleas which are available to them in law at the time of final arguments.
- (ii) Since the suit is stated to be at the stage of defendant evidence, thus, the trial Court is requested to decide the suit as expeditiously as possible.

5. Pending applications stand disposed of.

December 5th, 2025
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No