



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(123)

CR No.3018 of 2025 (O&M)
Date of Decision: 26.05.2025

Jasdev Singh Mattu

...Petitioner

Versus

Harmohinder Singh Virk and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

Mr. Prateek Gupta, Advocate
for respondent No.1.

Mr. Rohit Kaushik, Advocate and
Mr. Ashish Rawal, Advocate
for respondent No.3.

VIKRAM AGGARWAL, J (ORAL)

The sole grievance of the petitioner in the instant revision petition is that on account of the pendency of an application under Order 7 Rule 11 of the Code of Civil Procedure, 1908 (for short 'CPC'), even the application under Order 39 Rules 1 and 2 CPC is not being decided. Learned counsel for the petitioner submits that being supplemental proceedings, the application for injunction can be decided even during the pendency of the application under Order 7 Rule 11 CPC.

2. *Per contra*, learned counsel representing respondent No.1 submits that since the issue of maintainability goes to the root of the matter, it is the said issue which has to be decided before proceeding further with the matter.

3. Be that as it may, learned counsel for the parties are *ad idem* that arguments on the application for rejection of plaint shall be addressed

on the date fixed i.e., 18.07.2025 and upon a decision on the same, arguments on the application for injunction shall be addressed.

4. Having considered the submissions and statements made by learned counsel for the parties, the present revision petition is disposed of with a direction to the Court concerned to hear arguments on the application under Order 7 Rule 11 CPC on the date fixed i.e., 18.07.2025. If for any reason, arguments are not heard on the said date due to some difficulty at the end of the Presiding Officer, the same be heard within three (03) days thereafter and the application be decided within one week from 18.07.2025. Thereafter, arguments on the application under Order 39 Rule 1 and 2 CPC be heard and the same be also decided within a period of two (02) weeks from the decision on the application under Order 7 Rule 11 CPC.

5. Learned counsel representing respondent No.1, on instructions from respondent No.1 who is present in Court, fairly submits that till the decision on the application under Order 39 Rule 1 and 2 CPC by the trial Court in terms of the time frame laid down by this Court, the suit property shall not be alienated.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

May 26, 2025
Rekha

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