

**Sr. No.103+212****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CM-15324-CII-2024 in/and****COCP-2421-2023 (O&M)****Date of decision: 03rd November 2025****SWARAN SINGH****.....Petitioner****versus****KALI AND ANOTHER****.....Respondents****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN****Present: None for the applicant-petitioner.****HARPREET KAUR JEEWAN, J. (ORAL)****Main case**

1. By way of filing the instant petition, violation of the order dated 22.07.2022 (Annexure P-1), passed by the learned Civil Judge (Junior Division), Guruharsahai, District Ferozepur, has been alleged.

2. The aforesaid order dated 22.07.2022 (Annexure P-1) was passed by the trial Court restraining respondent No.1-Kali from raising any construction over the suit property during the pendency of the civil suit. The said order was passed deciding the application under Order 39 Rule I and II read with Section 151 CPC.

3. The matter requires recording of evidence to conclude as to whether the order dated 22.07.2022 (Annexure P-1) has been violated. Such an exercise cannot be done in the present petition.

4. In view of the decision of the Larger Bench of this Court, vide order dated 14.10.2024, passed in CACP-20-2016, titled as “Rajbir and others vs. Raj Singh (since deceased) through LRs”, the present petition is



disposed of with liberty to the petitioners to have recourse to appropriate civil remedy, if so desired.

5. Pending miscellaneous applications shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

03rd November 2025
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>