



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-18330-CII-2025 in/and
CR-4510-2025 (O&M)

Date of decision: 12.11.2025

AJMER SINGH AND OTHERS

...Petitioners

V/s

SURAJMAL

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Neeraj Kumar, Advocate for
Mr. Manoj Sharma, Advocate
for the applicant/petitioners.

HARPREET KAUR JEEWAN, J. (ORAL)
CM-18330-CII-2025

This is an application under Section 151 CPC for placing on record the copy of application of petitioner regarding mode of partition dated 20.05.2022, copy of *Naksha Beh* dated 22.09.2022, copy of *jamabandi* for the year 2023-24 and order dated 05.04.2024 as Annexures R-1 to R-4, respectively.

Notice in the application.

The documents Annexure R-1 to R-4 are taken on record, subject to just exceptions.

CM stands disposed of.

Main Case

1. By way of filing present Civil Revision under Article 227 of the Constitution of India the petitioner-defendants seek setting aside of the order dated 20.03.2025 (Annexure P-4) passed by the learned Additional District Judge, Jind, whereby interim stay has been granted in favour of the plaintiff-respondent pending the civil suit.

2. As per the brief facts, the respondent-plaintiff filed a Civil Suit seeking permanent injunction against the defendant-petitioners alleging that he is in possession of the suit property and cultivating the same. The partition proceedings were initiated, which were accepted vide order dated 06.12.2022, passed by the Assistant Collector, Second Grade, Jind. The appeal against the said order was dismissed by the Collector vide order dated 06.10.2023. The mutation bearing No.1890 dated 30.04.2024 has been sanctioned on the basis of partition proceedings-order of the Collector dated 06.10.2023. Even *Kabza Karvahi* report dated 26.12.2023 has also been recorded.

2.1 Along with the Civil Suit, the respondent-plaintiff filed an application seeking interim injunction, which was declined by the trial Court, however, the First Appellate Court allowed the said application and granted interim stay to the respondent-plaintiff by passing the impugned order.

3. Learned counsel for the petitioners contends that in fact, the defendant-petitioners are in possession of the suit property. Though, the Collector had passed the order dismissing the appeal against the partition proceedings, but the petitioners have challenged the said order by way of filing Civil Revision, which is still pending. It is further contended that the plaintiff-respondent had repeatedly filed applications before the trial Court seeking Police help, which indicate that he is not in possession of the suit property.

4. *Per contra*, the counsel appearing for the respondent opposed the present petition referring to the reasons recorded by the Appellate Court in the impugned order.

5. I have considered the aforesaid submissions and perused the paper-book.

6. The respondent-plaintiff filed the suit seeking permanent injunction over the property measuring 21 kanals 03 marlas comprised of Kila No.15/2(6-0), Kila No.11(7-13) 12/1(3-0), 12/2(5-0) which is part and parcel of the total land measuring 173 kanals 16 marlas. Prima facie the plaintiff has placed reliance upon the partition proceedings, kabza karvahi dated 26.11.2024 and the order passed by the appellate Court and Collector dated 06.10.2023. Even the mutation has been sanctioned in favour of the plaintiff reflecting the exclusive possession of the plaintiff by the aforesaid khasra numbers.

7. *Per contra*, the pleadings filed by the petitioner-defendants by way of written statement (Annexure P-2) indicate that no specific stand has been taken by the petitioners claiming their possession over the aforesaid *khasra* numbers.

8. In view of the aforesaid facts and circumstances and reasons recorded by the Additional District Judge, the petitioners have failed to point out any illegality in the impugned order. As such, no interference is called for in the impugned order granting the temporary injunction in favour of the respondent-plaintiff. Even the order dated 19.10.2024 (Annexure P-5) indicates that the application seeking police help was filed by the

defendants. However, there is no observation by the trial Court that the plaintiff-respondent is not in possession of the suit property.

- 7. No merits in the present petition.
- 8. As such, the present petition is dismissed.
- 9. However, it is made clear that there are no observations on merits.

(HARPREET KAUR JEEWAN)
JUDGE

12.11.2025
Shruti/atul

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