



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

CR-7874-2023
DECIDED ON: 28.01.2025

IQBAL KAUR

.....PETITIONER

VERSUS

AMARJIT SINGH

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

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

VIKRAM AGGARWAL, J (ORAL)

The present revision petition is directed against the order dated 18.08.2023 passed by the Court of learned Additional District Judge, Ludhiana dismissing the appeal filed by the petitioner against the order dated 14.07.2022 passed by the Court of learned Civil Judge (Junior Division), Ludhiana vide which the application filed by the respondent-plaintiff under Order 39 Rules 1 and 2 of the Code of Civil Procedure, 1908 (for short 'CPC') for the grant of *ad interim injunction* was allowed and the petitioner-defendant was restrained from alienating the suit property as also from dispossessing the respondent-plaintiff from the suit property during the pendency of the suit except in due course of law.

2. At the outset, learned counsel for the petitioner submits that possession of the suit property has already been obtained by the petitioner on 19.12.2023 in accordance with law. He further fairly submits that as regards the alienation of the suit property, the same would, in any case, be governed by the principles as envisaged under Section 52 of the Transfer of Property



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Act, 1882. He submits that, however, the petitioner is aggrieved due to the pendency of the suit since 2019 which is still at the stage of plaintiff evidence. He submits that a forged and fabricated agreement has been set up by the respondent-plaintiff as a result of which, the rights and interests of the petitioner-defendant are being prejudiced. He prays that a direction be issued to the Court concerned to expeditiously dispose of the suit in question.

3. There would be no necessity of issuing notice to the respondent, for in view of the nature of the order that is proposed to be passed, no prejudice would be caused to him.

4. I have considered the submissions made by learned counsel for the petitioner.

5. The possession of the suit property has already been taken over by the petitioner, as stated by learned counsel for the petitioner. As regards the direction regarding alienation of the suit property, learned counsel has fairly submitted that the petitioner is not aggrieved of the said finding keeping in view the provisions of Section 52 of the Transfer of Property Act, 1882. As regards the pendency of the suit since 2019, this Court is conscious of the fact that there is heavy pendency of cases before the Courts. However, at the same time, it is the bounden duty of Courts to expedite the trials so that interests of parties do not suffer. For, there are no interlocutory orders on record, it is not clear as to at whose instance, the disposal of the suit is being delayed. As per learned counsel for the petitioner, the matter is still at the stage of plaintiff evidence.

Under the circumstances, the present petition is ***disposed of*** with a direction to the Court concerned i.e. the Court where ***Civil Suit No.3111 of 2018*** titled as '***Amarjit Singh Vs. Iqbal Kaur***' is pending to look into the



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issue and expedite the trial of the suit so that the same can be disposed of as soon as possible.

28.01.2025
Prince Chawla

(VIKRAM AGGARWAL)
JUDGE

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