



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(137)

CR-8730-2025 (O&M)
Date of Decision: 15.12.2025

SHUBHAM

...Petitioner

Versus

AMIT DUA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Amandeep Singh Jattana, Advocate,
for the petitioner.

Mr. Abhinav Gupta, Advocate, and
Mr. Jatinder Kansal, Advocate,
for the respondents/Caveators.

VIRINDER AGGARWAL, J.(ORAL)

1. The present civil revision petition has been filed for issuance of the directions to the learned Civil Judge (Junior Division), Dera Bassi to decide the application pending in Civil Suit No.705 of 2025 filed on 18.07.2025 (Annexure P1) and injunction application (Annexure P-1A) and further application dated 04.09.2025 (Annexure P-6) for striking out defence due to non-filing of written statement within the stipulated period. A suit has been filed by the petitioner for declaration and permanent injunction on the basis of LLP acquisition agreement dated 16.09.2025 and MOU dated 08.10.2024.

2. I have heard counsel for the petitioner as well as counsel for the caveators.

3. Counsel for the petitioner submitted that the respondents are getting loan sanctioned without the approval of the petitioner but petitioner is a



partner in the firm and defendant No.1 is creating huge liability upon the firm and his injunction application is not being decided by the Court concerned and respondents/defendants are not intentionally filing the written statement as they intend to oust the jurisdiction of the Civil Court so that the property of the firm can be taken away by the bank or financial institutions.

4. Counsel for the Caveator/respondents submitted that petitioner has not complied with the terms of both the alleged agreements and that he has no right, title or interest in the property of the firm. FIR has been registered against the petitioner and his wife as he is soliciting the purchasers for the firm and getting diverted the funds in his own personal account. He further submitted that since the record of the civil suit has been called by the learned District Judge for disposal of the transfer petition, so, the Civil Court is unable to decide the injunction application and application filed by the petitioner under Order 8 Rules 1 and 10 of CPC.

5. Considering all the facts and circumstances, when the transfer petition is pending for final adjudication as arguments has already been addressed by the respondents in the transfer petition, the instant revision petition is disposed of with a direction to the learned Civil Judge to dispose of the application for interim injunction and application under Order 8 Rules 1 and 10 of CPC within a period of one month from the date, record of the civil suit is received by the learned Civil Judge.

6. Since the main case has been disposed of, pending miscellaneous application(s), if any, stands also disposed of.

(VIRINDER AGGARWAL)
JUDGE

15.12.2025

Saurav Pathania

(i) Whether speaking/reasoned : Yes/No
(ii) Whether reportable : Yes/No