IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CMPMO No. 1085 of 2019
Date of Decision : 07.04.2026

Naresh Kumar Sharma ...Petitioner

Versus

Lalman & another ...Respondents

Coram:

The Hon'ble Mr. Justice Romesh Verma. Judge.

Whether approved for reporting?[1]

For the petitioner : Mr. Tara Singh Chauhan, Sr. Advocate with Mr. Surya Chauhan, Advocate

For the respondents : Mr. Arun Kumar , Advocate.

Romesh Verma, Judge(oral)

The present petition has been filed against the judgment passed by the learned District Judge, Bilaspur, District Bilaspur, dated 21.10.2019, whereby the appeal preferred by the appellant/petitioner was dismissed and the order as passed by the learned Senior Civil Judge, Bilaspur, was affirmed.

2. Brief facts of the case are that the plaintiffs/ respondents have filed a suit for permanent prohibitory injunction against the defenant/ petitioner for restraining him from causing any interference in their peaceful joint possession

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[1] **Whether reporters of Local Papers may be allowed to see the judgment?**

by raising construction, cutting of the trees, digging, changing the nature or alienating any specific part of the suit land comprised in Khewat No.36 min, Khatauni No. 50, Khasra No.44, measuring 2-18 bighas situated at Village Badsor, P.O. Bilaspur,Tehsil Sadar, Distt. Bilaspur, H.P. at any manners, by himself or through his agents, servants or relatives.

3. It has been averred in the plaint that the suit land is joint between the parties. It has been further averred that the plaintiffs are joint owners of the suit land in respect of their respective shares, but the defendants are trying to interfere with their ownership and peaceful possession. Therefore, decree for injunction was sought from the learned trial Court by decreeing their suit.

4. Along with the suit, an application under Order 39 Rules 1 and 2 C.P.C was also filed by the plaintiff seeking interim injunction against the present petitioner.

5. The suit was contested by the present petitioner on various grounds and all the averments as made in the plaint were refuted.

6. The application under Order 39 Rule 1 and 2 C.P.C was also contested. The learned trial Court vide its order dated 27.02.2019 allowed the application filed by the present

respondent and it was ordered that the parties shall maintain status quo qua nature and possession of the suit for dismissal of the main suit.

7. Feeling dissatisfied, the present petitioner preferred an appeal before the learned District Judge, Bilaspur who vide its judgment dated 21.10.2019 has dismissed the same.

8. After arguing for some time, learned Senior Counsel for the petitioner has submitted that he would be contended if the learned trial Court is directed to expedite the suit itself, instead of going into the merits of the case, since the suit pertains to the year 2018."

9. Consequently, in view of the statement as made by the learned counsel for the petitioner and without adjudicating anything on the merits of the case, the present petition is disposed off with direction to the learned trial Court to expedite the suit itself and to take the same to its logical end. The learned trial Court is requested to expedite the Civil Suit and to decide the same preferably within 8 months from today,

10. Petition stands disposed of in the aforesaid terms. Pending application(s), if any, also stands disposed of.

(Romesh Verma),
Judge

07.04.2026 (veena)