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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CR-1336-2026****Date of Decision: 10.03.2026****AMANDEEP SINGH****...Petitioner****Vs.****LAKHBIR SINGH AND OTHERS****...Respondents****CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present: Mr. Amarjit Singh Virk, Advocate
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present petition has been filed under Article 227 of the Constitution of India, seeking directions to the trial Court to decide the application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908, for grant of an ad-interim injunction restraining Respondent No.1 from alienating, transferring, or creating any charge over the suit land.

2. Learned counsel for the petitioner contends that the petitioner has instituted a suit for partition of the suit property and, in connection therewith, has filed an application for interim injunction seeking a restraining order against Respondent No.1, prohibiting the alienation, transfer, or creation of any charge over the suit property during the pendency of the suit. It is further submitted that Respondent No.1 appeared before the learned Civil Court on 04.04.2025. Despite the lapse of considerable time since the appearance, the application for injunction has not yet been decided



by the learned Civil Court, causing prejudice to the petitioner and putting the suit property at risk of alienation or encumbrance.

3. I have heard learned counsel for the petitioner and have carefully perused the paper-book.

4. The petitioner has filed a civil suit, and along with the suit, an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908, for interim injunction has been filed. The petitioner seeks partition of the suit land, claiming it to be ancestral and co-parcenary property of a Joint Hindu Family. During the pendency of the suit, the petitioner seeks a restraint order against Respondent No.1, his father, who is alleged to be the Karta of the Joint Hindu Family, restraining him from alienating, transferring, or creating any charge over the suit land. It is submitted that the said application has been pending for nearly one year without any decision by the learned Civil Court. The object of the provisions contained in Order XXXIX Rules 1 and 2 CPC is to preserve the subject matter of the suit during its pendency and to prevent any acts that may defeat the purpose of the suit, thereby mitigating the chances of multiplicity of litigation. The delay in deciding the interim injunction application undermines this statutory purpose and prejudices the petitioner.

5. Considering all the above aspects, this is a fit case for the exercise of the supervisory jurisdiction of this Court under Article 227 of the Constitution of India. Accordingly, the present petition is **disposed of** with a direction to the learned Civil Judge to decide the application for interim injunction under Order XXXIX Rules 1 and 2 CPC within a period of **one month** from the date fixed before the learned Civil Court. It is made clear



that the learned Civil Judge shall pass a reasoned order after giving due opportunity of hearing to the parties, and the disposal of the injunction application shall not be delayed beyond the stipulated period. No further adjournments shall be granted except in exceptional circumstances.

(VIRINDER AGGARWAL)
JUDGE

10.03.2026
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No