



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

119**CR-1816-2026****Date of decision:06.05.2026**

RAJNI

...PETITIONER

VERSUS

SURINDER KUMAR AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Rahul Gautam, Advocate,
Mr. Sanjay Kumar Verma, Advocate,
Mr. Aman Mehta, Advocate and
Mr. Shubham Chaudhary, Advocate
for petitioner.

Mr. Sanjeev Majra, Advocate with
Mr. Hement Kumar, Advocate
for respondents.

PARMOD GOYAL, J. (ORAL)

1. Present revision petition has been preferred under Article 227 of the Constitution of India by petitioner-plaintiff being aggrieved by order dated 20.11.2025 (Annexure P-1) passed by learned Civil Judge (Junior Division), Jagahdari, Yamuna Nagar, whereby her application under Order XXXIX Rules 1 and 2 read with Section 151 of Code of Civil Procedure, 1908 was dismissed and by order dated 15.12.2025 (Annexure P-2) passed by learned Additional District Judge, Yamuna Nagar, whereby first appeal preferred by petitioner -plaintiff was also dismissed.

2. Notice of motion. Mr. Sanjeev Majra, Advocate appears and accepts notice on behalf of respondents.

3. The simple case of petitioner-plaintiff is that she is owner in possession of suit property duly depicted in site plan (Annexure P-7) and respondents-defendants have encroached upon her property to the extent

shown in site plan and upon street/*gali*, and are raising construction over it.

4. Both the learned Courts have concluded that petitioner-plaintiff has failed to establish the identity of property to be the same as the property claimed by petitioner-plaintiff through suit for declaration decreed in her favour.

5. Learned counsel for petitioner-plaintiff submits that his application for demarcation of suit land is still pending in the Court below.

6. In these circumstances, at this stage, impugned orders cannot be interfered in absence of any prima facie material as noted by Courts below. However, petitioner-plaintiff shall be free to approach the Court again after demarcation of suit property in case it is made out that suit property being claimed by petitioner-plaintiff is owned and possessed by her.

7. Present civil revision petition is disposed of.

8. Pending application(s), if any, stand disposed of.

(PARMOD GOYAL)
JUDGE

06.05.2026
Sunil Chander

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>