

2026:PHHC:059988



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

CR-3373-2026

Date of Decision: 21.04.2026

SEEMA KAPOOR

....Petitioner

Versus

ASHWANI MEHTA

...Respondent

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Namish Sodhi, Advocate
for the petitioner.

PARMOD GOYAL, J. (ORAL)

Present revision petition under Article 227 of Constitution of India is preferred by petitioner/plaintiff being aggrieved by impugned order dated 07.04.2026 (Annexure P-6), passed by learned Civil Judge (Junior Division), Amritsar, vide which notice in suit and stay application was issued without granting *ex parte ad interim* injunction to the petitioner/plaintiff.

2. Learned counsel for petitioner/plaintiff has argued that denial of relief at initial stage without assigning reasons cannot be justified. It is asserted that learned Court ought to have considered the merits of the case and decide the prayer of interim injunction under Order XXXIX Rule 1 & 2 CPC read with Section 151 CPC in view of nature of case and should not have disallowed the relief of temporary injunction only on the ground that it would be appropriate to hear the other side.

3. I find merit in the contentions raised on behalf of

petitioner/plaintiff. When a party prays for *ex parte* injunction in absence of defendants, the Court is bound to give some reasons though in short and in absence of any reasons the order cannot be sustained. In the present case, no reasons was accorded for not granting stay, accordingly, impugned order dated 07.04.2026 is set aside.

4. In view of the facts and circumstances, learned Trial Court is directed to consider grant of *ex parte* stay by preponing the date to any date convenient to the Court within next week. In the meanwhile, dasti notices be also taken by petitioner/plaintiff to serve the respondent/defendant for date fixed before learned Court of first instance.

5. Revision petition is disposed of in above terms.

6. Pending application(s), if any, is/are disposed of accordingly.

21.04.2026
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No