



CR-4826-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(311)

CR-4826-2023

Date of decision: - 22.01.2026

Suman Devi and another

....Petitioners

Versus

Satish and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sumit Sangwan, Advocate  
for the petitioners.Mr. Sudhanshu Makkar, Advocate  
for respondents No.1 and 2.

None for respondents No.3 and 4.

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VIKAS BAHL, J. (ORAL)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the judgment dated 03.08.2023 (Annexure P-1) passed by the Additional District Judge, Bhiwani.

2. On 23.08.2023, a Co-ordinate Bench of this Court was pleased to pass the following order: -

*“Present: Mr. Sumit Sangwan, Advocate  
for the petitioners.*

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*Learned counsel for the petitioners inter alia submits that the trial Court granted ad-interim injunction to the petitioners-plaintiffs and the respondents-defendants were restrained from alienating the suit property till the decision of the suit. However,*



*the First Appellate Court set aside the well reasoned order by holding that the suit property was the self acquired property of the respondent-defendant No.3 i.e., Dharam Singh. Learned counsel submits that whether the property was self acquired property or ancestral property would be determined once the suit is finally decided and in case the respondents-defendants alienate the suit property during the pendency of the suit, an irreparable loss would be suffered by the petitioners-plaintiffs.*

*Notice of motion for 19.02.2024.*

*In the meantime, status quo with regard to alienation qua the suit property shall be maintained.*

**23.08.2023”**

3. Learned counsel for the petitioners has submitted that the said order be continued and the trial Court be directed to decide the case as expeditiously as possible.
4. Despite service, none has appeared on behalf of respondents No.3 and 4.
5. Learned counsel appearing for contesting respondents No.1 and 2 has submitted that initially the interim order was passed in favour of the petitioners/plaintiffs, which order was ordered to be vacated on 03.08.2023 on an appeal filed by the defendants/respondents and after the passing of the said order, the property was transferred on 17.08.2023 in favour of Mana Devi wife of Ramkishan, Meena Kumari wife of Sombir and Santosh wife of Surjit Singh and thus, prior to the order dated 23.08.2023 the property had been transferred. It is further submitted that in case the status quo with regard to the alienation is to be maintained, then, in that situation the grant and the continuance of the said order



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should not be construed as an expression on the merits of the case and the respondents should be permitted to raise all pleas including the plea of the transfer being prior to the grant of interim order by this Court. It is stated that subsequent transferees had moved an application for being impleaded as parties, which is also pending and that the disposal of the present revision petition should not be construed as an expression on the merits of the said application also.

6. During the course of the arguments, a very fair stand has been taken by learned counsel for the petitioners as well as by learned counsel for contesting respondents No.1 and 2 and thus, the present revision petition is disposed of with the following observations/directions:-

- (i) The interim order dated 23.08.2023 would continue till the decision of the suit. The grant and continuance of the said order would not be construed as an expression on the merits of the case and it would be open to the parties to raise all pleas which are available to them during the course of trial.
- (ii) The trial Court would decide the application filed by the subsequent purchasers independently in accordance with law.

7. It is made clear that this Court has not opined on the merits of the case and it would be open to both the parties to raise all pleas which would be considered independently by the trial Court.

( VIKAS BAHL )  
JUDGE

January 22, 2026  
*naresh.k*

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No