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

CR-7419-2023(O&M)
Date of decision: 12.01.2026

SARABJIT KAUR

....Petitioner

Versus

AMRINDER SINGH AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Munish Gupta, Advocate
for the petitioner.

Mr. Abhishek Singla, Advocate and
Mr. Shubham Gupta, Advocate
for the respondents.

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition filed under Article 227 of the Constitution of India praying for setting aside the order dated 05.08.2023 passed by Civil Judge, Junior Division, Rajpura in Civil Suit CIS No.577/2023 (Annexure P-1), whereby the application dated 09.06.2023 under Order 39 Rules 1 and 2 read with Section 151 CPC filed by the petitioner has been dismissed; and the order dated 12.10.2023 passed by Additional District Judge, Patiala whereby appeal dated 19.08.2023 filed by petitioner has been dismissed.

2. Learned counsel for the petitioner has submitted that the suit was filed by petitioner-plaintiff in the year 2023, and the same is a suit for injunction. It is submitted that in the said circumstances, the petitioner would be satisfied in case the present revision petition is disposed of with a request to the trial Court to



decide the main suit itself as expeditiously as possible. It is further submitted that the main suit be decided *de hors* the observations made by the Courts in the impugned orders.

3. Learned counsel for the respondents has submitted that they have no objection to the said course of action but the main suit be decided after hearing the respondents also and after giving due consideration to the evidence led by the respondents also.

4. Keeping in view the above facts and circumstances and the fair stand taken by the counsel for the petitioner as well as counsel for the respondents, the present revision petition is disposed of while upholding the impugned orders, with a request to the trial Court to decide the suit as expeditiously as possible. The main suit would be decided by the trial Court *de hors* the observations made in the impugned orders, as it is settled law that observations made in an order deciding an application under Order 39 Rules 1 and 2 CPC are not to be taken into consideration at the time of final adjudication. The trial Court would decide the main suit after hearing all the parties concerned on the basis of the pleadings, documents, and evidence on record.

5. Pending applications, if any, shall stand disposed of accordingly.

(VIKAS BAHL)
JUDGE

12.01.2026

mohit goyal

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No