



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

CR-8855-2025(O&M)
Date of decision: 29.01.2026

Amit @ Amit Maan

... Petitioner

Versus

Subhash and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. R.S. Mamli, Advocate,
for the petitioner.

Mr. Sumit Singh Bairagi, Advocate, and
Mr. Deepak Raghav, Advocate,
for the respondents.

VIKRAM AGGARWAL, J. (ORAL)

The instant revision petition, preferred under Article 227 of the Constitution of India, seeks a restraint upon the respondents from stopping the ingress and egress of the petitioner to reach his poultry farm during the pendency of the appeal in the Court of Additional District Judge, Karnal.

2. A suit for permanent injunction was instituted by the present petitioner and one Sushila Devi seeking a restraint against the respondents/defendants from interfering with the joint way/path (fully described in the suit/plaint) situated at Village Manpura Ballah, Tehsil Ballah, District Karnal, which, as per the petitioner was a joint path/way going up to the petitioner's poultry farm, namely, Kapoor Tricity Poultry House.

3. Initially, a status quo qua usage of the disputed passage was ordered to be maintained by the trial Court vide order dated 12.03.2025



(Annexure P-2). However, subsequently, the application under Order XXXIX Rules 1 & 2 CPC filed by the petitioner/plaintiff was dismissed vide order dated 29.09.2025 (Annexure P-9) passed by the Court of Additional Civil Judge (Sr. Divn.), Assandh, District Karnal. This led to the filing of an appeal against the said order, which is stated to be pending for today before the Court of Additional District Judge, Karnal. The petitioner had knocked the doors of this Court stating that since the prayer for stay was not being decided by the first appellate Court, he may be granted stay till then. Under the circumstances, vide order dated 09.12.2025, the respondents were restrained from blocking the ingress and egress to the land of the petitioner.

4. Learned counsel for the petitioner submits that the appeal is still pending and the question of stay has not been decided.

5. Per contra, learned counsel for the respondents submits that the petitioner, in the garb of the order passed by this Court, is not furnishing a copy of the appeal, as a result of which respondent No.7 in the appeal is not being served.

6. Be that as it may, since the appeal is pending before the first appellate Court along with an application for injunction, the instant revision petition is disposed of with a direction to the Court concerned to consider the plea of the petitioner for the grant of injunction in accordance with law within a period of one month from today. Till then, the order dated 09.12.2025 passed by this Court shall continue to remain in operation.

7. Needless to assert that the decision on the application for grant of injunction shall be taken on its own merits, without being influenced by the order passed by this Court on 09.12.2025.



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

(VIKRAM AGGARWAL)
JUDGE

January 29, 2026
Rajan

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No