



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

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**Civil Revision No.6158 of 2025 (O & M)****Date of decision :-05.09.2025****Raj Kumar alias Raj Kumar Bhagat and others****.....Petitioners****Versus****Jobanjeet Singh and another****.....Respondents****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Vipin Mahajan, Advocate  
for the petitioners.

**NIDHI GUPTA J. (Oral)**

The present petition under Article 227 of the Constitution of India has been filed by the defendants seeking a direction to the learned trial Court to expeditiously decide the application filed by the respondents/plaintiff for temporary injunction under Order 39 Rules 1 and 2 of the CPC.

It is submitted by learned counsel for the petitioners that the respondents had filed the suit on 06.9.2022 as evident from the zimni order dated 6.9.2022 (Annexure P-10) wherein the suit has been registered. It is submitted that on the very next day i.e. 07.9.2022 the learned Civil Judge (Jr. Divn.), Batala had heard the application of the plaintiff under Order 39 Rules 1 and 2 CPC and granted ex-parte ad-interim injunction. Learned counsel submits that thereafter upon notice, the petitioner had put in appearance on 01.11.2022, however, petitioner was unable to file written statement to the suit as complete set of



documents was not attached with the plaint and was not even supplied to the petitioner subsequently. Accordingly, the petitioner moved an application (Annexure P-6) under Order 7 Rule 14, Order 11 Rule 12 to 15 read with Section 151 CPC on 02.12.2022; which was allowed by the learned trial Court vide order dated 24.1.2024 as evident from the zimni orders (Annexure P-10 colly.) at page 71 of the paper book. Learned counsel submits that immediately thereafter the petitioner had submitted his written statement dated 22.4.2024 (Annexure P-7), however, the petitioner is suffering from the ex-parte ad-interim injunction granted in favour of the plaintiff. It is submitted that as per provisions of Order 39 Rule 3-A CPC it is incumbent upon the learned trial Court to decide ex-parte ad-interim injunction within a period of 30 days. It is accordingly prayed that a direction be issued to the learned trial Court to expeditiously decide the application for temporary injunction.

Heard.

After hearing learned counsel for the petitioner, issuance of notice of motion is dispensed with at this stage, as it will cause further delay in disposal of the case.

In view of the facts as noted above, the present revision petition is **allowed** and the learned trial Court is directed to decide the application dated 06.9.2022 (Annexure P-4) expeditiously within a period of two months from today.

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

September 05, 2025  
Vijay Asija

( **NIDHI GUPTA** )  
**JUDGE**

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