



CR-5057-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(274)

CR-5057-2023 (O&M)

Date of decision: - 12.08.2025

Antriksh Mudgil

...Petitioner

Versus

Reema Sood and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Chancal K. Singla, Advocate, and
Ms. Tarranum Madan, Advocate
for the petitioner.

Mr. Vineet Chaudhary, Advocate
for respondents No.3, 7, 8 and 9.

Mr. Arshdeep Singh, Advocate,
Mr. Himmat Singh Sidhu, Advocate, and
Mr. Divij Datt, Advocate
for respondent Nos.5 and 6.

VIKAS BAHL, J. (ORAL)

1. Present civil revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 25.07.2023, passed by the Additional District Judge, SAS Nagar, Mohali, whereby appeal preferred against the order dated 12.01.2023 passed by the Civil Judge (Junior Division) Derabassi, dismissing the application under Order 39 Rule 1 and 2 CPC filed by the petitioner, has been dismissed. Challenge is also to the order dated 12.01.2023 vide which the application filed by the petitioner/plaintiff under Order 39 Rule 1 and 2 CPC has been



dismissed.

2. On 05.09.2023, the Co-ordinate Bench of this Court was pleased to pass the following order: -

*“Present: Mr. R.S.Randhawa, Advocate for the petitioner.
Mr. Vineet Chaudhary, Advocate for caveator/
respondent Nos. 3,7,8 and 9.*

Notice of motion.

*Mr. Vineet Chaudhary, Advocate appears and accepts notice
on behalf of caveator/respondent Nos. 3,7,8 and 9.*

Heard. There are arguable points.

Adjourned to 15.11.2023.

*In the meantime, status quo be maintained till the next date of
hearing.*

05.09.2023”

3. The said interim order has continued till date.

4. Learned counsel appearing for contesting respondents No.3, 7, 8 and 9 has submitted that in the present case, the suit had been filed with respect to two plots i.e. 356 and 357 and has stated that with respect to plot No.357, the construction has already been raised and that no further construction would be raised on the same. It is however prayed that the contesting respondents be permitted to furnish the house which has already been constructed. With respect to plot No.356, it has been stated by learned counsel for contesting respondents No.3, 7, 8 and 9 that at the present stage, the said respondents are not wanting to raise any construction on the same. It is submitted that the present revision petition be disposed of in the said term, but liberty be granted to the contesting



respondents No.3, 7, 8 and 9 to revive the present petition in case they are to raise any further construction.

5. Learned counsel for the petitioner has submitted that the said statement satisfies the petitioner but has further submitted that as per their stand, the contesting respondents had made construction during the pendency of the status quo order and in violation of the same and thus, the disposal of the present revision petition should not be construed as an estoppel against the petitioner from filing an appropriate application with respect to there being violation of the interim order of status quo.

6. Learned counsel for the contesting respondents No.3, 7, 8 and 9 has submitted that there is no violation of any interim order and in case any such application is filed, the respondents be also granted liberty to raise all pleas to oppose the said application in accordance with law.

7. Keeping in view the above-said facts and circumstances and with the consent of the learned counsel for the petitioner as well as learned counsel for contesting respondents No.3, 7, 8 and 9, the present revision petition is disposed of, at this stage, with the following directions/observations: -

- (i) Contesting respondents No.3, 7, 8 and 9 as undertaken before this Court would not raise any further construction on the plots No.356 and 357. It would, however, be open to the said contesting respondents to furnish the house, which as per their case, has already been constructed on plot No.357.
- (ii) It would be open to the contesting respondents No.3, 7, 8 and 9 to revive the present petition in case they wish to raise any further construction on the above-said two plots and in case



any such application is filed, the present revision petition would be revived and decided on merits after hearing all the parties concerned.

- (iii) The present order would not be treated as an estoppel against either of the two parties to file any application alleging violation of any interim order and in case any such application is filed by either of the parties, then, it would be open to the parties to raise all pleas in accordance with law and the concerned Court would consider the application independently.
- (iv) Since, the suit in the present case is of the year 2022, thus, the trial Court is requested to decide the same as expeditiously as possible and the counsel appearing for all the parties concerned are also requested to fully assist the Court in expeditious disposal of the case.

August 12, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No