



CR-4514-2023

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(302)

CR-4514-2023

Date of decision: - 02.09.2025

Gopi Chand (since deceased) through LRs and another

...Petitioners

Versus

Rajesh Kumar and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Avnish Mittal, Advocate, and
Mr. Gorav Kashyap, Advocate, for the petitioners.

Mr. G.C. Shahpuri, Advocate, for respondent Nos.1 to 3.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned orders dated 31.05.2023 (Annexure P-5) passed by the Civil Judge (Junior Division), Jagadhri and dated 20.07.2023 (Annexure P-6) passed by the Additional District Judge, Yamuna Nagar at Jagadhri, whereby injunction application under Order 39 Rules 1 and 2 CPC (Annexure P-3) filed by the respondent/plaintiffs has been allowed.

2. Learned counsel for respondents No.1 to 3 has submitted that in the present case, the suit was filed on 23.09.2015 and the case is now fixed for defendants evidence and has thus submitted that the present petition be disposed of on the said count.

3. Learned counsel for the petitioners has submitted that the



CR-4514-2023

-2-

petitioners have a good case on merits but certain observations have been made in the impugned orders which are prejudicial to the rights of the petitioners. It is further submitted that the trial Court be directed to decide the main suit on the basis of the evidence and documents led by both the parties, independent of the observations made in the impugned orders.

4. Learned counsel for respondents No.1 to 3 has submitted that the main suit be decided after considering the pleas raised by the respondents also.

5. Keeping in view the above-said facts and circumstances and the fair stand taken on behalf of the petitioners as well as respondents No.1 to 3, the present revision petition is disposed of while upholding the impugned orders with the following observations: -

- (i) The trial Court would decide the main suit after taking into consideration the evidence and documents produced and after hearing both the parties concerned, de hors of the observations made in the impugned orders which are only for the purpose of deciding the application filed under Order 39 Rules 1 and 2 CPC.
- (ii) Since the suit is of the year 2015, the trial Court is requested to decide the same as expeditiously as possible.

September 02, 2025*naresh.k***(VIKAS BAHL)
JUDGE**Whether reasoned/speaking?
Whether reportable?Yes/No
Yes/No