

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

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2025:PHHC:001491



CR-3302-2024

Date of decision: 09.01.2025

MAHESHINDER SINGH

..Petitioner

Versus

PARAMJIT SINGH AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Prince Goyal, Advocate (Legal Aid Counsel)
for the petitioner.

ANIL KSHETARPAL, J(Oral)

1. This revision petition has been filed by the plaintiff to assail the correctness of First Appellate Court's order while accepting defendants appeal against injunction order. The plaintiff has filed suit for declaration with a consequential relief of permanent injunction challenging the correctness of agreement of partition dated 20.06.2019. The plaintiff along with suit, filed an application under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure, 1908, seeking injunction against the defendants from alienating specific share in the suit property. The trial Court granted injunction, which as already noticed, has been set aside by the First Appellate Court.

2. Learned counsel for the petitioner submits that if the injunction is not granted, third party rights may be created, which would further complicate the situation.

3. This Court has considered the submissions of learned counsel for the petitioner.

4. Section 52 of the Transfer of Property Act, 1882, lays down the rule of *lis pendens*. All transactions during the pendency of suit shall remain



subject to the decision of the case and the rights of parties shall not be adversely affected. In these circumstances, the rule of *lis pendens* protects the petitioner.

5. Keeping in view the aforesaid facts, no ground to interfere is made out.

6. Dismissed accordingly.

January 09th, 2025

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*