



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

203

Civil Revision No.2308 of 2019 (O & M)**Date of decision :-22.09.2025****Gurmit Singh Thiara****.....Petitioner****Versus****Chatter Singh Thiara and others****.....Respondents****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- None for the petitioner.

Mr. Jasraj Singh, Advocate
for respondent No.1.Service upon respondents No.2 to 5 dispensed with (vide
order dated 17.2.2020).**NIDHI GUPTA J. (Oral)**

Prayer in the present revision petition filed by the defendant, under Article 227 of the Constitution of India is for setting aside the impugned order dated 02.3.2019 (Annexure P-3) (mentioned as 06.3.2019) passed by the learned trial Court; and further praying for restraining the respondents from alienating the suit property and from changing its nature and also from interfering in the possession of the petitioner on the suit property.

None appears on behalf of petitioner.

It is submitted by learned counsel for respondent No.1 that the prayer of the petitioner in the application (Annexure P-1) was for seeking interim injunction restraining the respondent/plaintiff



from alienating the suit property and from interfering and dispossessing the plaintiff therefrom and from changing its nature during the pendency of the application filed by the petitioner under Order 9 Rule 13 CPC seeking setting aside of ex-parte decree dated 01.10.2016. It is submitted that the said application of the petitioner stands dismissed by the learned Civil Judge (Jr. Divn.), Hoshiarpur vide order dated 23.7.2025 passed in CM/9/2019 instituted on 15.1.2019 titled as "Chatter Singh Thiara vs. Gurmit Singh Thiara and others". Copy of the said order is handed over in the Court, which is taken on record. It is submitted that accordingly, nothing survives in the present revision petition and the same may be disposed off.

Heard.

Brief facts of the case are that the respondent had filed a suit for declaration on 29.8.1998 that he and other defendants including the petitioner are joint owners in possession of the suit land. In the alternative the prayer was made for joint possession of the suit land. In the said suit proceedings, the petitioner was proceeded against ex-parte vide order dated 01.8.2016; and subsequently the ex-parte decree dated 01.10.2016 was passed against the petitioner. The petitioner had then filed an application dated 15.1.2019 under Order 9 Rule 13 CPC, seeking setting aside of the ex parte decree. During the pendency of the said application, the petitioner had also filed the present application dated 29.1.2019 (Annexure P-1) seeking interim injunction restraining the plaintiff from alienating the suit property and from interfering and dispossessing the plaintiff therefrom and from changing its nature, during the pendency of the application



under Order 9 Rule 13 CPC. Vide the impugned order dated 2.3.2019, this application dated 29.1.2019, has been dismissed.

In view of the fact that the main application of the petitioner under Order 9 Rule 13 CPC stands dismissed by the learned trial Court vide order dated 23.7.2025, the present civil revision petition is rendered infructuous and is accordingly **disposed of**, as such.

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

September 22, 2025

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No