



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

**CR-533-2025 (O&M)
DECIDED ON: 28.01.2025**

CHUHAR SINGH (DECEASED) THROUGH HIS LRS

.....PETITIONER

VERSUS

GURMAIL SINGH AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Keshav Pratap Singh, Advocate
 for the petitioner.

VIKRAM AGGARWAL, J (ORAL)

The present petition has been preferred under Article 227 of the Constitution of India for quashing the order dated 10.05.2023 (Annexure P-3) vide which the relief of *ex parte ad interim injunction* was declined. The petitioner further seeks directions to the Court of learned Civil Judge (Junior Division), Kharar for expeditious disposal of application dated 09.05.2023 filed by the petitioner under Order 39 Rules 1 and 2 CPC for the grant of *ad interim injunction* as also the expeditious disposal of application dated 14.11.2024 passed by the petitioner for impleading himself as the legal representative of the deceased-plaintiff Chuhar Singh.

2. At the outset, learned counsel for the petitioner submits that he does not press the relief as regards challenge to the order dated 10.05.2023 and restricts his prayer only to the issuance of directions to the Court concerned for expeditious disposal of the applications for *ad interim injunction* and bringing on record legal representative of the petitioner. He submits that the suit came up for hearing for the first time before the trial Court on 10.05.2023 when the prayer for the grant of *ex parte ad interim*



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injunction was declined. He further submits that, thereafter, the matter remained pending for service of the respondents and the same was also completed on 04.03.2024 (Annexure P-9). Learned counsel submits that even thereafter, despite many dates having passed, the applications for *ad interim injunction* and for bringing on record the petitioner as the legal representative have not been decided. He submits that directions be issued to the Court concerned for time bound disposal of the said applications.

3. I have considered the submissions made by learned counsel for the petitioner.

4. There would be no necessity of issuing notice to the respondents, for in view of the nature of the order that is proposed to be passed, no prejudice would be caused to them.

5. This Court is conscious of the fact that the Courts are already over burdened with a large number of cases and, therefore, to issue directions in each and every case would not be possible. In the present case, *ex parte ad interim injunction* was declined on 10.05.2023 (Annexure P-3) whereafter, service was completed on 04.03.2024 (Annexure P-9). An application for bringing on record the petitioner as the legal representative of deceased Chuhar Singh was filed on 14.11.2024 and the same is pending adjudication. In the present petition also, an application has been preferred to bring on record the petitioner as the legal representative of the deceased. I do not deem it appropriate to pass any order in the said application except for permitting the petitioner to pursue the present revision petition, for, the trial Court is already seized of the application for bringing on record the petitioner as the legal representative and notice has been issued to the other side. As regards the grant or non-grant of *ad interim injunction*, it would be in the interest of

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justice that the said application is disposed of by the trial Court as expeditiously as possible and not exceeding a period of three months from today. As regards the application for bringing on record the petitioner as the legal representative of the deceased Chuhar Singh also, the trial Court may decide the said application within the same time frame.

The revision petition is accordingly ***disposed of***. However, it is clarified that by entertaining the present revision petition, no right shall accrue to the petitioner to be impleaded as the legal representative of the deceased Chuhar Singh and the said decision shall be taken by the trial Court on the application filed by the petitioner to implead him as the legal representative of the deceased Chuhar Singh.

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

28.01.2025

Prince Chawla

**(VIKRAM AGGARWAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No