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

1. **Date of Decision: 05.05.2025**  
**CR-1769-2022 (O&M)**

**Rashmi Ahuja and ors. ....Petitioners**

**VERSUS**

**Anil Kumar and ors. ....Respondents**

2. **CR-4817-2023 (O&M)**

**Anil Kumar and ors. ....Petitioners**

**VERSUS**

**Rashmi Ahuja and ors. ....Respondents**

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present : Mr.Puneet Jindal, Sr. Advocate with  
Ms. Loveleen Joshi, Advocate for the petitioners  
in CR-1769-2022 and for the respondents  
in CR-4817-2023

Mr.D.K. Tuteja, Advocate  
for the petitioners in CR-4817-2023 and  
for the respondents in CR-1769-2022

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**HARKESH MANUJA, J. (ORAL)**

This order of mine shall dispose of abovesaid two petitions as the common question of law and facts are involved therein. For convenience, facts are being taken from CR-1769-2022.

2. By way of present revision petition(s), challenge has been laid to an order dated 02.04.2022 passed by the First Appellate Court in Civil Appeal No. 48/2011 while rejecting the appeal preferred at the



instance of petitioners/ plaintiffs having upheld the order dated 03.12.2021 passed by Civil Judge (Senior Division), Rohtak while disposing of an application filed under Order 39 Rules 1 & 2 CPC at their instance.

3. Brief facts of the case are that in a suit for declaration as well as permanent injunction, the trial Court vide order dated 03.12.2021 adjudicated upon an application Under Order 39 Rules 1 & 2 CPC filed at the instance of petitioners/ plaintiffs with the following observations:-

*“10. However, if defendants alienate or dispossess of the suit property or create any kind of third party charge over the suit property, they are bound to mention the factum of pendency of the present suit in any such document to be executed by them in favour of any third party. Furthermore, any such transaction, if undertaken, by defendants shall be subject to the decision of the present case.”*

4. Being aggrieved of the aforesaid order, both the parties filed their respective Civil Misc. Appeal with the following details:-

- i) CMA No.48 of 2021, titled as Smt.Rashmi Ahuja and others Vs. Sh.Anil Kumar and others; and
- ii) CMA No.49/2001 titled as Smt.Sumedha Ahuja Vs. Smt.Rashmi Ahuja and others.



5. Learned First Appellate Court vide consolidated order dated 02.04.2022 dismissed both the appeals resulting into filing of present two Civil Revisions at the instance of both the parties.

6. having argued for some time, learned counsel for the parties are *ad idem* that instead of going into the merits of the controversy, a direction be issued to the trial Court to dispose of the suit/ counter claim within 06 months from today and the parties be directed to maintain status quo till then.

7. In view of the agreed stand taken by both sides, both the Civil Revisions are disposed of with a request to the learned trial Court to decide the Civil Suit within 06 months from today by affording opportunities to both the parties so as to lead their evidence. In the meanwhile, both the parties shall maintain status quo regarding the property in question, in all respect.

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

05.05.2025  
sanjay

( HARKESH MANUJA)  
JUDGE

Whether speaking/reasoned ?	Yes/No
Whether Reportable ?	Yes/No