



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

CR-6618-2025

Date of decision:01.10.2025

RAVINDER KUMAR

...Petitioner

versus

GAURAV RANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Mohit Jaggi, Advocate
for petitioner.

PARMOD GOYAL, J. (ORAL)

Petitioner-plaintiff has preferred present revision petition against order dated 06.09.2025 (Annexure P-8) passed by Additional District Judge, Hoshiarpur vide which application for seeking interim injunction against respondents restraining them from demolishing the suit property, was dismissed.

2. It is the case of petitioner-plaintiff that he had filed a suit for permanent injunction bearing Suit No.319/2019, which was dismissed by Court of Additional Civil Judge (Senior Division), Hoshiarpur vide judgment and decree dated 22.07.2025 (Annexure P-1).

3. Thereafter, petitioner-plaintiff had preferred an appeal before the First Appellate Court, which was taken up on 25.08.2025 and notice was issued to respondents. Along with the appeal, petitioner-plaintiff had also preferred an application under Order 39 Rule 1 and 2 read with Section 151 of Civil Procedure Code, 1908.

4. After issuance of notice another application was filed by

petitioner-plaintiff seeking interim injunction against demolition on 05.09.2025 (Annexure P-6) on the ground respondent had resorted to demolition of the building w.e.f. 04.09.2025. Respondent Nos.1 to 3 had appeared contesting the application and said application was dismissed vide impugned order dated 06.09.2025 (Annexure P-8).

5. It is the case of petitioner-plaintiff that his application under Order 39 Rule 1 and 2 read with Section 151 of Civil Procedure Code, 1908 has not been disposed of and his application for interim injunction, which has arisen from the actions of respondents, who had resorted to demolition, have not been considered by the Court and has been dismissed without giving any reasons.

6. On consideration, I do not find any error in the interim order dated 06.09.2025. Any observation made by this court can impact case of either of the parties as application for stay is still pending for adjudication. However, since substantial rights of petitioner-plaintiff are involved, it would be in the interest of justice that learned trial Court is directed to decide application preferred by petitioner-plaintiff under Order 39 Rule 1 and 2 read with Section 151 of Civil Procedure Code, 1908, expeditiously preferably on next date of hearing or any other date, as per convenience of Court as well as parties. It is further made clear that the matter shall not be delayed and shall be decided within one month from the next date fixed before court of first instance.

7. Civil Revision is disposed of.

(PARMOD GOYAL)
JUDGE

01.10.2025
Sunil Chander

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