



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

**CR-7086-2025(O&M)
Date of decision: 01.10.2025**

Pardeep Singh @ Pardeep Rana and another

... Petitioners

Versus

Gurvinder Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Gagandeep Singh Sirphikhi, Advocate,
for the petitioners.

VIKRAM AGGARWAL, J.

The petitioners have instituted the present revision petition under Article 227 of the Constitution of India with a prayer to issue directions to the Court of Civil Judge (Jr. Divn.), Dera Bassi, where civil suit No.656 of 2025 [**Pardeep Singh v. Gurvinder Singh and others**] is pending, to decide the application moved along with the said suit under Order 39 Rules 1 & 2 of the Code of Civil Procedure, 1908 (for short, 'CPC') for grant of *ad interim injunction*.

2. The petitioners/plaintiffs instituted a suit for permanent injunction against the respondents/defendants making the following substantive prayer:-

“Suit for permanent injunction restraining the defendants, their agents, servants and representatives from interfering in the peaceful possession of plaintiffs and creating any hindrance in the peaceful use of the plaintiff in the suit land and dispossessing the plaintiff forcibly or in



any manner from the suit land shown by words ABCDEFGHIJKLMNO situated in the abadi of village Sangondh Tehsil Dera Bassi, Distt. SAS Nagar and further restraining the defendants from the changing the nature of the suit property forcibly by way of raising any construction in the suit property shown by words ABCDEF in the site plan...”

3. The suit was accompanied by an application under Order 39 Rules 1 & 2 CPC (Annexure P-2) for the grant of *ad interim injunction*. The trial Court took up the suit for the first time on 08.07.2025 and, thereafter, the matter is being adjourned for filing of written statement and reply to the application for *ad interim injunction*. It also transpires from the record that an application under 7 Rule 11 CPC for rejection of plaint has also been moved and the trial Court, instead of deciding the application for grant of *ad interim injunction*, is in the process of hearing the application for rejection of plaint.

4. It is the petitioners' stand that on account of the delay in deciding the application for grant of *ad interim injunction*, they are suffering an irreparable loss. Reference has been made to various interlocutory orders placed along with the revision petition.

5. I have considered the submissions made by learned counsel for the petitioners.

6. As referred to in the preceding paragraphs, the trial Court took up the matter for the first time on 08.07.2025 and, thereafter, the matter has been adjourned on various dates for filing of written statement and reply to the application for *ad interim injunction*. In this regard, interlocutory orders



dated 15.07.2025, 18.08.2025, 01.09.2025, 04.09.2025, 08.09.2025, 10.09.2025, 12.09.2025, 16.09.2025 & 22.09.2025 have been placed on record. Order dated 22.09.2025 (Annexure P-15) also shows that an application under Order 7 Rule 11 CPC for rejection of plaint was filed. Reply was filed on the same date and arguments were also partly heard. However, the matter was adjourned to 09.10.2025 for remaining arguments on the said application. From the order, it appears that the Court is inclined to first decide the application for rejection of plaint before dealing with other issues, including the application for grant of *ad interim injunction*.

7. It is well settled that mere pendency of an application under Order 7 Rule 11 CPC does not preclude the trial Court from deciding the application for grant of *ad interim injunction*. In fact, the Court should proceed to decide the same, for important rights of the parties are involved.

8. That being so, the instant revision petition is disposed of with a direction to the Court concerned to consider the prayer for grant of *ad interim injunction*, in accordance with law, on the next date of hearing. Needless to assert that the said consideration shall strictly be in accordance with law, uninfluenced by any observation(s) made in this order.

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

(VIKRAM AGGARWAL)
JUDGE

October 1, 2025

Rajan

Whether speaking / reasoned:
Whether Reportable:

Yes/No
Yes/No