



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR No. 14313 of 2018 (O&M)

Reserved on: 04.03.2025

Pronounced on: 22.05.2025

Managing Committee R. D. Khosla D.A.V., Model Senior Secondary  
School and others

...Petitioners

Versus

Managing Committee R.D.Khosla D.A.V Model School and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Argued by: Mr. Sunil Chadha, Sr. Advocate  
with Mr. Tara Dutt, Advocate  
and Mr. Raghav Chadha, Advocate  
for the applicant-petitioner.

Mr. Ashwani Kumar Chopra, Sr. Advocate  
Mr. Harminder Singh, Advocate  
and Mr. Damanjeet Singh, Advocate  
for respondents No.1 to 4.

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**VIKRAM AGGARWAL, J**

The present revision petition is directed against the order dated 01.11.2018 (Annexure P-7) passed by the Court of Additional District Judge, Gurdaspur and the order dated 18.04.2017 (Annexure P-5) passed by the Court of Additional Civil Judge (Sr. Division), Batala vide which the application preferred under Order 39 Rules 1 and 2 of the Code of Civil Procedure, 1908 (for short 'CPC') filed by the respondents/plaintiffs was allowed. Though the Court of Additional District Judge modified the order passed by the trial Court to the extent of the finding as regards handing over of possession, it upheld the findings as regards grant of injunction.

2. The facts necessary for the decision of the instant revision petition are that the dispute is between the two Management Societies of

R.D. Khosla D.A.V. Model School, Batala, District, Gurdaspur. Whereas the respondents/plaintiffs are represented by Sh. Sudesh Kumar Khosla, Sh. Om Parkash and Sh. Sudarshan Aggarwal, who claimed to be the Chairman, Vice Chairman and Member of the Management Society, the petitioners/defendants are represented by Sh. Ajay Kumar Khosla and others who claimed to be the Chairman, Vice Chairman etc., of the petitioners/defendants Society. Whereas, the respondents/plaintiffs claimed that it were they who were the office bearers of the society and were running the School, the petitioners/defendants claimed that they had been running the same.

3. The case set up by the respondents/plaintiffs was that plaintiffs No.2 to 4 (Sudesh Kumar Khosla, Om Parkash and Sudarshan Aggarwal) were the founding/primary members of the governing body and were respectable citizens of Batala belonging to well respected families. It was averred that late Sh. Kishori Lal Khosla was a prominent Arya Samajist and a respectable citizen of Batala. The school was started by him in 1977-80 in the memory of his late wife Smt. Rattan Dai Khosla. Since with the passage of time, it was felt that there should be a registered body/Society to run and manage the school, the managing committee was constituted and was duly got registered in 1983-84 with registration No. 480. Sh. Charanjit Khosla was appointed as the Chairman whereas apart from him there were 18 other members, the names of whom were duly mentioned in the plaint.

4. For the effective management of the institution, Sh. Om Parkash Khosla and Smt. Santosh Vaid (defendant N.5) were also inducted as members of the society. It was averred that the governing body was principally constituted by the sons of Sh. Kishori Lal Khosla *vis* Om Parkash

Khosla, Sudesh Khosla etc., and their cousin Sh. Charanjit Khosla. The details of subsequent registrations etc., addition and removal of members were given in the plaint.

5. The basic allegation leveled in the plaint was that upon a Income Tax raid having been conducted in 2007, allegations of financial irregularities, bungling etc. were raised against the Managing Committee. It was alleged that Sh. Charanjit Khosla and Smt. Santosh Vaid had colluded to accomplish their illegal aims and wanted to oust the plaintiffs. A host of other allegations were leveled.

6. Under the circumstances, a suit was instituted by the Managing Committee through Sh. Sudesh Kumar Khosla, Sh. Om Parkash and Sh. Sudarshan Aggarwal against the Managing Committee through Sh. Ajay Kumar Khosla and others praying for the following relief.

***“Suit for Declaration to the effect that the plaintiff no. 1, which is the duly constituted committee of Management/Society of R. D. Khosla,/ D.A.V. Model School, situated at Ram Tirath Road, Batala, (also now known as R.D. Khosla D.A.V. Model Senior Secondary School, Batala), herein after referred to as School/ institution for brevity of reference, with plaintiffs no. 2 to 4, being its founding members i.e. the members of the governing Counsel with plaintiff no. 2, being its Chairman, plaintiff no. 3, its Vice Chairman, and plaintiff no. 4, being its member, (along with the other founding; members of the managing committee including the so-opted members, as detailed in the body of the plaint) which society was/is the, owner in possession of the R. D. Khosla, D. A. V. Model School, Ram Tirath Road, Batala, and its entire immovable and movable assets in the form of lands, buildings, entire infrastructure built thereupon i.e. Immovable assets viz;***

*(a) land measuring around 23Kls., along with entire multi storey building structure, installation etc., existent thereupon bounded as North- Gali and S.L. Bawa D.A.V. College, South- Ram Tirath Road, East- Road leading to friends colony/ Singha House, West-, Shiv Baba Colony, situated at Ram Tirath Road, Batala, shown as pink and worded as ABCDEF, in the plan attached, where the school/institution was/is being run.*

*b) land measuring 17 Kls. 17 Mls. bearing no. khasras 47R/12/1/2, 13, 18, 22/1, 22/2, 23, as entered in the jamabandi for the year 2008-09, situated at Wadala Granthia, Quadian Road, Batala.*

*c) land measuring 8 Kanals being 160/1772 share of land measuring 88 Kanals 12 Marlas, no. khasras 24R/24, 29R/12/2, 24R/23/3, 29R/17, 18/1, 18/2, 30R/3/2, 4R/1, 4/2, 7, 8/1, 14/1 Min, 30R/14/1 Min, 29R/12/1, 24R/18, 29R/13/2, 14/2, 13/1, 14/1, situated at Village Misharpura, Tehsil Batala, and/or any other immovable assets acquired going to be acquired for and in the name of the School/Society or with its funds thereof, and movable assets in the form of entire infrastructure, furniture, fixtures, fleet of buses amounts in the form of cash, F.D.Rs, deposits etc. lying deposited with/in the banks, and any other amounts received in the 'form of donations/grants obtained/lying, in the Bank accounts, i.e, collected/going to be collected in the form of fees, funds, etc. and all and any other tangible and intangible assets of the school, AND it is the plaintiff no. 1. Society with plaintiffs no. 2 to 4; being its founding members/ members of the Governing Body of plaintiff no. 1, who were/are entitled/authorized to manage, contro, supervise, run and conduct the said institution and its affairs, in the said capacity as per rules, regulations and constitution of the plaintiff no. 1, Society, and the defendants i.e. the*

*defendant no. 1, and or the defendants no. 2 to 22, in the capacity of being the alleged members of the defendant no.1, the alleged society alleged to have been constituted/ floated by the defendants and /or any of them, had have got absolutely no right, title or interest whatsoever with the assets of the institution owned and possessed by the plaintiff no. 1, and its management, working and governance, in the said capacity, and the defendants and/or any of them had have got absolutely no right whatsoever to prevent/restrain the plaintiffs i.e: the plaintiff no. 1 and the other plaintiffs in the capacity of its office bearers from exercising the said rights in the said capacity along with their management committee, and the defendants or any of them, including their servants, employees, agents. officials and representatives are liable to be restrained from preventing/restraining the plaintiffs from exercising their said rights AND that the defendant no. 1, and the defendants no. 2 to 22, the alleged members/office bearers of the defendant no. 1, the alleged society in the alleged capacity had have got absolutely no right, title or interest whatsoever with the institution R. D. Khosla, D. A. V. Model, School, and/or R.D. Khsola D.A. V. Model Senior Secondary School, Batala, and any of its tangible and intangible assets and that the defendant no. 1, society and its alleged members/office bearers, defendants no. 2 to 22, and their officials, agents, representatives had have got absolutely no right of management, supervision, control or conductance of the said institution in the said capacity of and on behalf of the defendant no. 1. AND Suit for permanent injunction to the effect that the defendants, their alleged agents, officials, representatives, employees, servants, be restrained from illegally and forcibly proclaiming themselves of being entitled to manage, act, transact, conduct, run, supervise, control and/or in any other manner whatsoever from acting,*

*transacting, controlling or in any other manner whatsoever running the school, its affairs, and/or controlling, managing, and running the said institution and its affairs, including dealing with its tangible and intangible assets in the said capacity. And the defendants etc. be also restrained from illegally and forcibly preventing/restraining the plaintiffs etc, from supervising, controlling, managing, working, governing, superintending, running and conducting the school/institution, its affairs, including dealing with its tangible and intangible assets owned and possessed by the plaintiff society, in the capacity of its office bearers/ members. AND*

*Suit for rendition of accounts directing the defendants no. 5 and 22, or any of them, ( who were/are the members of the Governing Body of the plaintiff and were entitled to operate the bank accounts of the plaintiff and to make collection and expenditure of the various funds of the institution in the capacity of being the principal/ secretary and Manager of the plaintiff society, and being the accounting party.), and /or any other defendant found to be realizing the such collections of the institution under the garb of being member of the alleged defendant no: 1, (though having absolutely no such right), to 1, render the accounts qua the various collections made in the form of fee, funds, grants, donations etc. and any other amounts received , in any other manner whatsoever, as referred above, and for direction that the amounts found in the hands of the said defendants and/or any of them be directed to be handed over/deposited to the accounts of the plaintiff no. 1, Society.”*

7. The suit was accompanied by an application under Order 39 Rules 1 to 3 CPC (Annexure P-2) for the grant of *ad interim* injunction praying for the following relief:-

*“12. That the plaintiffs/applicants prayer that a temporary injunction to the effect that the defendants, their alleged officials, agents, representatives, servants, employees be restrained from illegally and forcibly proclaiming themselves of being entitled to manage, act, transact, conduct, run, supervise, control and/or in any other manner whatsoever from acting, transacting, controlling or in any other manner whatsoever running the school/institution, its affairs, and/or controlling, managing, and running the said institution and its affairs, including dealing with its tangible and intangible assets in the said capacity, being the members/office bearers of the alleged defendant society and that the defendants etc. be also restrained from illegally and forcibly preventing/restraining the plaintiffs etc, from supervising, controlling, managing, working, governing, superintending, running and conducting the school/institution, its affairs, including dealing with its tangible and intangible assets owned and possessed by the plaintiff society, be issued to the defendants till the disposal of the suit, in the interest of law and justice.”*

8. An application under Section 40 CPC was also filed praying for the following relief:-

*“12. That the plaintiffs/applicants prayer that in the circumstances above stated, an appropriate receiver may please immediately be appointed with the directions to immediately take effective charge, custody and control of the various immovable and movable assets of the plaintiff/society/institution, and to prepare a detailed inventory thereof, and to make collection of the various income/receipts on various accounts as detailed in the plaint and to make appropriate expenditure and to keep a detailed accounts thereof and the details of the same may please be submitted to the Hon’ble Court for its kind reference immediately and thereafter at regular intervals to preserve the*

***assets of the plaintiff society and the institution, in the interest of law and justice.”***

9. The suit was opposed by the petitioners/defendants. One written statement was filed by defendants No.1 to 4 (Annexure P-4). Separate written statements were filed by defendants No.5 to 8 and defendant No.22. Details of various resolutions having been passed from time to time were given and it was claimed that it were the defendants who were the actual Managing Society.

10. Replies to the applications for the grant of *ad interim* injunction and the application moved under Order 40 CPC were also filed.

11. The trial Court allowed the application for injunction and concluded as under:-

***“18. Hence, the defendants, their agents, officials, representatives, employees, servants are restrained from illegally and forcibly proclaiming themselves of being entitled to manage, act, transit, conduct, run, supervise, control or in any manner the school i.e. suit property, its affairs or controlling, managing, running the institution and its affairs including dealing with its tangible and intangible assets in the said capacity and the defendants are also restrained from illegally and forcibly preventing/restraining the plaintiffs from supervising, controlling, managing, working, governing, running the school/institution, its affair including dealing with its tangible and intangible assets owned and possessed by the plaintiff society in the capacity of office bearers/members. The said order will come into force after 30 days from the date of order. At this stage, it has been made clear that the said number of 30 days has been granted for the implementation of the order as in the citation relied upon by the defendants i.e. 1995 (2) R.R.R. (S.C.), it has been held that mere prima facie case is not only essence to grant interim relief, the court must have regard about balance of convenience, to be existed***

*and host of other considerations. The subject matter of this suit is a running school, so the plaintiffs have to make other all arrangements including infrastructure of all types for the said purpose by making their best efforts including to obtain all type of knowledge, so that after a period of 30 days, the defendants will hand over the entire control of the said school to the plaintiffs and the plaintiffs should have been fully capable to handle the same in all means and respect. This order has been passed in the interest of justice and in the interest of the children, parents etc. so that in the internal fight of the plaintiffs and the defendants, the interest of the children should have not been put on stake. Hence, the application under order 39 rules 1 and 2 and section 151 CPC filed by the plaintiffs on 13.06.2013 has been allowed with above stated observations and findings and the application filed by the plaintiffs under order 40 read with section 151 CPC dated 13.06.2013 is ordered to be dismissed.”*

12. In an appeal preferred by the defendants, the Court of Additional District Judge, Gurdaspur, concluded as under:-

*“96. Though in order to safeguard the interest of the school children who are paying exorbitant fees and the members of the managements are fighting inter se to control the funds of the school collected from the children. Whereas initially when the school was opened and it was intention of the founders for welfare of the children and to serve the society. As the suit is going at the initial stage and the prayer of the plaintiffs that defendants and their officials be restrained from proclaiming themselves of being entitled to manage act, transact, run or supervise and control the school and further its affairs including dealings with its tangible and intangible assets and also that defendants be restrained from illegally and forcibly preventing plaintiffs from supervising control. As such without commenting on the merits of the case, as the interest of school is involved and in order to avoid any type of*

***bungling in the funds, the defendants are restrained from preventing the plaintiffs from supervising the affairs of the school and the plaintiffs have full right to supervise the tangible and intangible assets of the school. Hence, the instant appeal is partly allowed, as aforesaid and the findings of the trial court that within 30 days the defendants will hand over the entire control of the said school to the plaintiffs is set aside. However, with no order as to costs. Lower court record be sent back along with a copy of this Judgment and appeal file be consigned to the record room.”***

It is against these decisions that defendants have preferred the instant revision petition.

13. Learned counsel for the parties were heard.

14. It was strenuously urged by learned Senior counsel representing the petitioner that both Courts had gravely erred in allowing the injunction application. It was submitted that both Courts, while deciding the issue of injunction, in a way, decreed the suit. Learned Senior counsel referred to the pleadings of the parties, the documents produced on record and the judgments under challenge. It was submitted that the Courts did not consider the matter from the correct perspective and gravely erred in granting injunction. Learned Senior counsel submitted that the interim order passed by a Coordinate Bench on 21.12.2018 while issuing notice of motion was the only order that could have been passed and should have been passed and it was submitted that the said order should be ordered to be continued and a direction be issued to the trial Court to expeditiously dispose of the suit.

15. *Per contra*, Sh. A. K. Chopra, learned Senior counsel urged with equal vehemence that there is no illegality in the impugned orders. It was submitted that the first Appellate Court had in-fact modified the

findings of the trial Court and had rightly maintained the injunction. Learned Senior counsel also referred to the impugned orders apart from the pleadings and the documents produced on record.

16. I have considered the submissions made by learned counsel for the parties.

17. Before advertng to the merits of the case, it needs to be mentioned that both Courts delivered extremely voluminous judgments deeply delving into the merits of the issue. The pleadings were, in a way, reproduced verbatim. At this juncture, this Court deems it important to mention that it has been noticed upon examination of judgments in regular second appeals and civil revision petitions that a large number of presiding officers do not possess the art of judgment writing which is an extremely vital aspect of discharge of judicial functions. In a large number of judgments, it is apparent that the facts of the case are recorded by stenographers and are normally a reproduction of the complete plaint, written statement etc., with only minor and clerical changes in the same. It has to be borne in mind that a Judge is known through his judgments and, therefore, it is vital that each presiding officer lays stress on writing quality judgments, dictation of facts being an extremely important aspect thereof.

18. Another aspect which has come to the notice of this Court is that the entire plaint/written statement etc., is made part of one paragraph running into several pages making it virtually impossible to comprehend the case set out by either side. Though, newly inducted Judicial Officers undergo one year training in the Judicial Academy and other Officers also attend refresher courses on a regular basis, when one peruses the judgments, it appears that either they have not been exposed to the subject or they have

not bothered to pick up the basic ingredients of judgement writing. This very important aspect needs to be closely examined and addressed.

19. Reverting to the issue in hand, it is well settled that at the time of grant of injunction, the factors that have to be kept in mind are the existence of a *prima facie* case, balance of convenience and irreparable injury in case of non-grant of injunction. These principles are being reiterated from the very beginning. Recently, the Supreme Court of India examined the issue in the case of ***Ramakant Ambalal Choksi Vs. Harish Ambalal Choksi and others, 2025(2) RCR (Civil) 74***. It was held that the burden was always on the plaintiff to prove that there was a *prima facie* case in his favour which needed adjudication at the trial. It was held that the existence of a *prima facie* and infraction of the enjoyment of his property or the right is a condition precedent for the grant of temporary injunction. The Supreme Court of India held that a *prima facie* case is not to be confused with *prima facie* title which has to be established on evidence at the trial. It was held that only *prima facie* case is a substantial question raised, *bona fide*, which needs investigation and a decision on merits. It was held that the satisfaction that there was a *prima facie* case itself was not sufficient to grant injunction and the Court has to be satisfied that non-interference by the Court would result in irreparable injury. It was held that the injury should also be one which cannot be adequately compensated by way of damages. It was further held that the third condition was that the balance of convenience must be in favour of granting injunction. The Supreme Court of India held that the Court while granting or refusing to grant the injunction should exercise sound judicial discretion to find the amount of substantial mischief or injury which is likely to be caused to the parties, if the injunction is

refused and compare it with that which is likely to be caused to the other side if the injunction is granted. The Supreme Court of India also held that at the time of the decision on an application for the grant of injunction, it would not be appropriate for any Court to hold a mini trial.

20. In the case of ***Bloomberg Television Production Services India Private Limited and others Vs. Zee Entertainment Enterprises Limited, 2024(4) RCR (Civil) 111***, a three Judges Bench of the Supreme Court of India also examined the three fold test for the grant of interim injunction. Though the case primarily dealt with the grant of *ex parte* ad interim injunction, the factors laid down by the Supreme Court of India while relying upon a three Judge Bench judgment in the case of ***Morgan Stanley Mutual Fund Vs. Kartick Das, (1994) 4 SCC 225***, were as under:-

“5. The three-fold test of establishing (i) a prima facie case, (ii) balance of convenience and (iii) irreparable loss or harm, for the grant of interim relief, is well-established in the jurisprudence of this Court. This test is equally applicable to the grant of interim injunctions in defamation suits. However, this three-fold test must not be applied mechanically, to the detriment of the other party and in the case of injunctions against journalistic pieces, often to the detriment of the public. While granting interim relief, the court must provide detailed reasons and analyze how the three-fold test is satisfied. A cursory reproduction of the submissions and precedents before the court is not sufficient. The court must explain how the test is satisfied and how the precedents cited apply to the facts of the case.

6. In addition to this oft-repeated test, there are also additional factors, which must weigh with courts while granting an *ex-parte* ad interim injunction. Some of these factors were elucidated by a three-judge bench of this Court in ***Morgan***

*Stanley Mutual Fund v. Kartick Das, (1994) 4 SCC 225* in the following terms:

“36. As a principle, ex parte injunction could be granted only under exceptional circumstances. The factors which should weigh with the court in the grant of ex parte injunction are:-

(a) whether irreparable or serious mischief will ensue to the plaintiff;

(b) whether the refusal of ex parte injunction would involve greater injustice than the grant of it would involve;

(c) the court will also consider the time at which the plaintiff first had notice of the act complained so that the making of improper order against a party in his absence is prevented;

(d) the court will consider whether the plaintiff had acquiesced for sometime and in such circumstances it will not grant ex parte injunction;

(e) the court would expect a party applying for ex parte injunction to show utmost good faith in making the application.

(f) even if granted, the ex parte injunction would be for a limited period of time.

(g) General principles like prima facie case, balance of convenience and irreparable loss would also be considered by the court.”

21. Reverting to the facts of the present case, this Court is once again constrained to note that both Courts delved deep into the merits of the issue. The trial Court went to the extent of framing certain points for determination which read as under:-

**“8. After hearing the contentions of the learned counsel for the parties and after going through the pleadings of both the parties, I found that at this stage, this court have to adjudicate**

*upon following five points, which are only in real controversy and which are as under:-*

*1. The plea which has been taken by the learned counsel for the defendants is that the present suit/application is barred under order 2 rule 2 CPC as the plaintiff has filed an earlier suit also with the same relief but he same was already been withdrawn by the plaintiff.*

*2. The second plea which has been argued by the learned counsel for the defendant is that this suit has been barred by the provisions of Limitation Act as the plea taken and argued by the learned counsel for the defendants qua the knowledge of the plaintiff from which the plaintiff has claimed the cause of action is totally false as the plaintiff earlier was having full knowledge qua the acts of the defendant no.1 and qua the constitution and registration of the second society.*

*3. The third plea which has been argued by the learned counsel for the defendants is that the present suit is not maintainable as the present suit is only qua seeking the relief of declaration and the plaintiff has not sought the relief of possession along with relief of the declaration.*

*4. The last plea which has been argued by the learned counsel for the defendants are that the defendants are the only persons who are in possession of the suit property/school. Hence, at this stage, the court has to see only the possession of the plaintiff over the suit property. So, no relief can be granted at this stage to the plaintiff.*

*5. The last point is that whether the prima facie case lies in the favour of the plaintiffs and whether the balance of convenience lies in the favour of the plaintiffs and whether the plaintiff shall suffer an irreparable loss, if no relief should have been granted to the plaintiff, at this stage.”*

22. In the considered opinion of this Court, the only thing that was to be decided by the Courts was the existence of a *prima facie* case, the factum as to whether there was balance of convenience in favour of the plaintiffs or not and further whether the plaintiffs would suffer an irreparable loss or substantial injury if the injunction was not granted. Both the Courts, however, did not advert to the said issues and instead, while examining the matter on merits, allowed the injunction application.

23. I find merit in the argument addressed by learned Senior counsel for the petitioners that the Courts, in a way, decreed the suit while granting the relief of injunction.

24. A Coordinate Bench of this Court, while issuing notice of motion on 21.12.2018, passed the following order:-

***“Notice of motion to contesting respondents No. 1 to 4 only at this stage.***

***Mr. Harminder Singh, Advocate, accepts notice on behalf of contesting respondents No. 1 to 4 and prays for time to argue the matter.***

***Adjourned to 26.03.2019.***

***As an interim measure, it is directed that the petitioners shall continue to run the R.D. Khosla D.A.V Model Senior Secondary School (for short the 'school'). However, the same, including day to day functioning of the school, shall be under the direct supervision of an officer of the Punjab Civil Services (Executive Branch), who preferably would have a financial background, to be appointed and deputed by the Deputy Commissioner, Gurdaspur. Such officer, after every two weeks, shall submit a written report regarding the working of the school, which would include maintenance of its bank accounts, to the Deputy Commissioner, Gurdaspur, for his guidance and further orders. It is further directed that***

***all the meetings of the petitioner-society shall be personally presided over by the Deputy Commissioner, Gurdaspur.***

***A copy of this order be forwarded to the Deputy Commissioner,***

***Gurdaspur forthwith for compliance.***

***The Trial Court is directed to expedite the proceedings in the main suit.***

***Photocopies of the records of the Lower Courts be requisitioned for the adjourned date.”***

25. After the above order having been passed, none of the parties, at any point of time expressed any difficulty about the aforesaid arrangement.

26. Concededly, when the suit was filed, it was the petitioners who were running the school and the respondents-plaintiffs filed the suit after a number of years alleging mismanagement, financial bungling etc. In the considered opinion of this Court, both Courts erred in restraining the petitioners/defendants from preventing the respondents/plaintiffs from supervising the affairs of the school and in holding that the respondents/plaintiffs had the full rights to supervise the tangible and intangible assets of the school. The First Appellate Court rightly set aside the finding of the trial Court that the petitioners/defendants would hand over the entire control of the said school to the respondents/plaintiffs within thirty (30) days. However, both Courts did not realize that in such matters, where parties are at daggers drawn, it would be ultimately the students who would suffer on account of the infighting amongst two factions. Under the circumstances, the most pragmatic approach was the one which was adopted by the Coordinate Bench of this Court.

27. Having considered the matter from all possible angles, this Court is of the considered opinion that the order dated 21.12.2018 should continue till the disposal of the suit and it is accordingly so ordered. Keeping in view the fact that the suit was instituted as far back as in 2013, a direction is issued to the Court concerned to conclude the trial expeditiously and not later than a period of one year from today. This period of one year is being granted since it had been brought to the notice of the Court during the course of arguments that the suit is still at the stage of evidence of the plaintiff. To ensure that the trial is concluded within the aforesaid time period, it would be open for the trial Court to fix timeframes for both sides keeping in view the current stage of the suit. Any frivolous application/s filed by either side would be dismissed summarily, of-course, if the applications are actually found to be frivolous.

The revision petition, is, therefore, disposed of in the above terms.

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

**(VIKRAM AGGARWAL)**  
**JUDGE**

**Pronounced on: 22.05.2025**

Rekha

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