

CNR No: PBJLB00009742026 CASE No: CS-689-2026

Charanjit Kaur and another Vs. Sarabjit Singh and others.

Present: Sh. Kashmir Singh Malhi, Advocate for the plaintiff.

Suit presented before me being Duty Judge as the learned Addl. Civil Judge (Sr. Division) is on earned leave. Report of Reader seen. Along with the suit the plaintiff has filed an application under Order 39 Rule 1 and 2 CPC which is supported by duly sworn affidavit. Along with the application the plaintiff has placed on record photocopy of Aadhaar card of plaintiff Charanjit Kaur, photocopy of special power of attorney, copy of death certificate of Mahinder Kaur, copy of Will cancellation deed dated 19.11.2018 and fard jama-bandi for the year 2023-24. It is submitted by the learned counsel for the plaintiffs that previously mother of plaintiffs and defendants namely Mahinder Kaur was the owner in possession of the suit property as fully detailed in headnote of plaint. She had executed a Will dated 18.04.2018, which she cancelled vide a registered cancellation deed dated 19.11.2018, Thus, Mahinder Kaur died intestate and plaintiffs and defendants became the owners in possession of the estate left by Mahinder Kaur in equal shares. However, the defendants no. 1 and 2 started declaring that they are the owners of the suit property. The defendants have also got sanctioned the mutation in their favour illegally. It is submitted that plaintiffs are seeking exparte ad-interim injunction restraining defendants no. 1 and 2 from alienating the property

fully detailed in any manner whatsoever illegally and forcibly and further restraining the defendants no. 1 and 2 from dispossessing the plaintiffs from the suit property. It is submitted that if the defendants no. 1 and 2 are not restrained at this stage from alienating and dispossessing the plaintiffs from the suit property then the very purpose of the suit would be frustrated.

In view of the above, in order to prevent multiplicity of proceedings and in the interest of justice, the defendants no. 1 and 2 are restrained from alienating the suit property and from dispossessing the plaintiffs from the suit property as fully described in the head note of plaint, till the next date of hearing. Compliance of Order 39 Rule 3 CPC be made forthwith. It is made clear that the plaintiffs are to effect the service upon the defendants within stipulated period of time failing which ex parte stay is liable to be vacated. Notice of the suit as well as of the application be issued to the defendants for 17.08.2026 on filing of requisite process fees and copy of plaint. Dasti notice be also given, if requested. File be put up before learned Addl. Civil Judge (Sr. Division) on 17.08.2026 for entrustment purpose.

Date of Order: 03-08-2026
Nitin Kumar JW

(Vrinda Maria)
Civil Judge (Jr. Division)
UID NO. PB00830