

Present: Sh.G.S.Grewal, Advocates for the plaintiff.

The arguments with regard to ad-interim stay are heard and the record is perused minutely.

Learned counsel for plaintiff placed on record copy of aadhar card, copy of jamabandi for the year 2016-17.

From the jamabandi produced on record which has rebuttal presumption of truth attached with it prima-facie appears that the plaintiff is co-sharer to the extent of 1/4th share in joint possession of the suit property as described in the head-note of the plaint. The suit property has not been partitioned by metes and bounds.

It is settled law that each co-sharer has equal right in each and every parcel of the joint land, no co-sharer can change the nature of the property which is agricultural land by raising construction over it or by digging and taking away the soil.

Hence, defendants are restrained from alienating specific portion by mentioning the boundaries more than share. Further, the defendants will not change the nature of suit property which is agricultural land, till next date of hearing.

It is hereby clarified that as relief of injunction is *in-personam*, hence the present order is only against the present defendant and it will not effect rights of any third party or it will not impede orders of the Court or any competent authority.

Compliance of *Order 39 Rule 3 CPC* be made. Let notice of the suit as well as injunction application be issued to defendant for **21.07.2026** on filing of copies of plaint and that of stay application. Plaintiff will take dasti summons for effecting the service and on account of refusal or if the premises is found to be locked, then service be effected through affixation. If deliberate delay is caused by plaintiff, then exparte ad-interim injunction will be vacated.

Pronounced in Open Court
Dated : 14.07.2026

Amit Bakshi, PCS
Civil Judge (Jr. Division),
Ludhiana.
UID No. PB0469