

CNR No. PBPO020004432024

Case No. CS/283/2024



Presented on : 12-03-2024

Registered on : 12-03-2024

Decided on : 05-08-2025

**In the court of Shri Aasdeep Singh, PCS,
Civil Judge (Junior Division), Pathankot.
(UID No.PB00790)**

CIS CS No. 283 of 12.03.2024.

CNRNo.PBP02-000443-2024.

RBT Dated : 17.04.2025.

Date of Decision : 05.08.2025.

1. Varun Mahajan, aged about 39 years, son of Shri Ashok Mahajan, resident of H.No.16, Ward No.12, near Gurudwara, Model Town, Pathankot.
2. Ranvir Singh, aged about 42 years, son of Shri Surinder Singh, resident of Saili Road, Shaheed Udam Singh Nagar, Pathankot.

...Plaintiffs.

Versus

Sirajuddin son of Shri Raeesuddin, resident of Bilaspur Gate, Nanital Road, Tehsil Sadar (Uttar Pradesh).

... Defendant.

Suit for Permanent Injunction, restraining the defendant, his associates, assignees, agents and representatives from abusing, passing any threat, manhandling and harassing, moving any false complaints to Police against the plaintiffs and restraining him from demanding any illegal amount, forcibly and illegally, from the plaintiff except in due course of law.

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Present: Shri Aashish Venaik, Advocate, counsel for plaintiffs.
Defendant proceeded ex-parte vide order dated 12.11.2024.

*Aasdeep Singh, PCS,
Civil Judge (Junior Division), Pathankot (UID No.00790).*

JUDGMENT:

1. The plaintiffs have filed the present suit for the relief of Permanent Injunction as fully detailed and described in the head note of the plaint.

2. Brief facts as put-forth in the plaint are that the defendant came into contact with the plaintiffs in order to create trading relations with the plaintiff and thereafter, a trade relation got started between the parties to the suit and the plaintiffs made all the genuine payments to the defendant as per the material received by the plaintiff. But now the defendant is demanded more money on the basis of his false, wrong and incorrect account and has been threatening the plaintiffs to pay the alleged amount otherwise the plaintiffs will be implicated in a false criminal case and started moving false and frivolous complaints to police against the plaintiffs. Not about this, the defendant use to come at the residence of the plaintiffs and used abusive language and often manhandled with the plaintiffs for which they have got no right. The plaintiffs have requested the defendant not to do so but defendant has refused to accept the genuine request of the plaintiff and hence this suit.

3. Upon notice, defendant did not appear despite service and ultimately, he was proceeded against ex-parte vide order dated 12.11.2024 and then, the case was fixed for ex-parte evidence of plaintiffs.

4. A careful perusal of the file shows that after filing of suit by the plaintiffs on 12.03.2024, and despite serving notice, the defendant did

not appear and ultimately he was proceeded against ex-parte vide order dated 12.11.2024 and thereafter, the case was fixed for ex-parte evidence of plaintiffs. However, since that very date, the plaintiffs have availed 06 effective opportunities for their evidence, and even cost of ₹.300/- was also imposed upon the plaintiffs which has also been not paid and as such the plaintiffs have utterly failed to bring on record even a single evidence in order to prove their case, which shows that the plaintiffs have no interest in pursuing their suit. Hence, under the given circumstances, further grant of adjournment for evidence of plaintiffs is not justified. Accordingly, the Court is constrained to close the evidence of the plaintiffs by order. As the defendant has already been proceeded against ex-parte, hence, there is no chance to adjourn the case for any purpose.

5. In view of the above discussion, since the plaintiffs have miserably failed to prove their case, therefore, the suit filed by the plaintiffs fails and as such the same is hereby dismissed in default. Decree sheet be prepared accordingly. File be consigned to the Record Room, after due compliance.

**Pronounced in the Open Court.
Dated : 05.08.2025**

**Aasdeep Singh, PCS
Civil Judge (Junior Division),
Pathankot. (UID No.PB00790).**

*PKr.
Stenographer.*

*Aasdeep Singh, PCS,
Civil Judge (Junior Division), Pathankot (UID No.00790).*