

Joginder Singh Vs. Gram Panchyat

Present: Sh. Ajay Sharma Adv., counsel for the plaintiff.

Argument on the ad-interim injunction have been heard. Plaintiff file a suit for permanent prohibitory injunction. Alongwith the suit plaintiff has filed an application u/o 39 rule 1 & 2 CPC seeking ad-interim injunction. The application is supported by jamabandi of the year 2008-2009 and Khasra girdawari for the year 2009 to 2014 and Map Mark-X.

I have gone through the record and have perused documents available on record from the perusal of document it transpires that prima facie case is made out in favour because as per the jamabandi for the year 2008-09 the plaintiff is shown as owner in possession of the suit land. Similarly in the khasra girdawari for the year 2009 to 2014 the plaintiff is shown in the possession of suit land. Therefore if defendants dispossess the plaintiff from the suit land measuring 5 bigha 18 biswas or interfere in the peaceful possession of the plaintiff it would cause irreparable lose to the plaintiff and if ad-interim injunction is not granted the very purpose of the suit will be defeated. Therefore, the defendants are restrained from dispossess the plaintiff from the suit land or interfering in the peaceful possession of the plaintiff over the suit land till 02.01.2015. Defendants be summoned for 02.01.2015, on filing of PF/RC/AD and MF, copy of the plaint. Compliance under order 39 rule 3 be also made as per rules. The plaintiff is directed to get the service of defendant by taking Dasti summons and also file affidavit to the effect of same and plaintiff is also directed to file proper court fee failing which the ad-interim injunction granted today, stands vacated automatically.

Taranjeet Singh,PCS
CJJD/MLK/20.12.2014