

CS-3988-2026

Santokh Singh & Anr. Vs. Commissioner Municipal Corporation Amritsar & Anr.

Present: Sh. Suniti Paul, Advocate for plaintiffs.

Suit received by entrustment. Report of the reader seen. Suit be registered. Along with suit, plaintiffs have moved an application under Section 396(1), (2), (3) Supra Punjab Municipal Corporation Act read with Section 151 CPC for dispensing with the service of notice to defendants filed. Heard. In view of the averments made in the application and the urgency disclosed therein, the application under Section 396(1), (2), (3) of the Punjab Municipal Corporation Act read with Section 151 CPC is allowed. Accordingly, service of notice upon the defendants is dispensed with. Alongwith the suit, plaintiffs have also moved an application under order 39 Rule 1 and 2 CPC along with the documents i.e. copy of lease deed, copy of translation of lease deed, copy of Fard Inteqal, copy of lease deed dated 07.08.2014, copy of lease deed dated 10.02.2016, copy of lease deed dated 07.10.2023, copy of lease deed dated 07.10.2023, copy of lease deed dated 25.07.2014, copy of lease deed dated 07.06.2016, copies of lease deeds, stamp papers, copy of lease deed, certified copy of jamabandi, copy of lease agreement with translation, copy of translation of jamabandi, copy of lease deed and praying for restraining the defendants No. 1 and 2, their friends, relatives, privies, attornies and other associates from demolishing and damaging the property in the form of construction raised in suit land in any manner till final disposal of the case.

From the perusal of the documents placed on record, this Court is of the view that if ad-interim injunction is not granted to the plaintiffs at this stage, then, the plaintiffs will suffer an irreparable loss.

So, a prima-facie case is made out in favour of the plaintiffs and accordingly, the defendants No. 1 and 2, their friends, relatives, privies, attorneys and other associates are hereby restrained from demolishing or damaging the construction raised over the suit property, as fully detailed in head note of plaint, till further orders.

Notice of the suit as well as stay application be issued to the defendants for 24.08.2026 on filing PF and copies of plaint.

Compliance under Order 39 Rule 3 CPC be made immediately. It is however, made clear that in case the plaintiffs fails to get the service of the defendant effected by the next date, this ad-interim order shall stands vacated. Dasti summons be taken if so desired.

Date of Order:-12.08.2026

Garima Gupta, PCS
CJJD/ Amritsar
UID No. PB0535