

Banarsi Dass Vs. Sukhwant Sharma and ors.

Present: Sh. AS Dhaliwal, Advocate, counsel for the plaintiff.

Suit received by way of entrustment. Report of Reader and Nazir seen. It be registered.

Alongwith the suit, an application under order 39 rules 1 and 2 read with section 151 CPC has been filed seeking ad interim temporary injunction for restraining the respondents/defendants, their servants, agents, attorneys, partymen or any other person on their behalf from interfering into the peaceful possession of the plaintiff and restraining the defendants from dispossessing the applicant/plaintiff forcibly and further restraining the defendants from forcibly encroachment of the land comprised of khewat No.31/27 (as fully described in the headnote of the plaint), till the final disposal of the present suit.

Heard. After hearing contentions of learned counsel for the plaintiff and after going through the documents attached i.e. copy of Jamabandi for the year 2020-2021, Copy of Khasra Girdawari 2020-2021, Copy of Aksh Latha, Copy of Aadhaar Card and affidavit of the plaintiff attached with the application, this court is of considered view that if exparte ad interim temporary injunction is not granted, then very purpose of the suit would be defeated. So, **the defendant is restrained from interfering into the peaceful possession of the plaintiff and from dispossessing the applicant/plaintiff forcibly and from forcibly encroachment of the land comprised of khewat No.31/27 (as fully described in the headnote of the plaint), illegally or forcibly, except in due course of law, till the date fixed i.e. 21.09.2026.**

Let, the notice of order as well as application, be issued to defendants for the date already fixed on the filing of Process Fee, copy of plaint and other documents.

The plaintiff is directed to comply with mandatory provisions of order 39 rule 3 CPC within 24 hours and is further directed to take dasti summons to effect the service of defendants failing which exparte stay granted in favour of the plaintiff shall stand automatically vacated.

Dated: 14.08.2026
(aman)
Stenographer-III

Prabha Prashar, PCS
Civil Judge (Jr. Divn.),
Patiala-UID No. PB0500