

Mohinder Singh vs Bagga Singh & Ors.

CMPMO No.763 of 2024

01.01.2025 Present: Mr. Ajay Kumar, Advocate vice Mr. Sunny Modgil, Advocate, for the petitioner.

CMPMO No.763 of 2024

Let notice be issued to respondents, returnable in three weeks on taking steps within two days.

List thereafter.

CMP No.26405 of 2024

Notice in aforesaid terms. Reply to the application be filed by non-applicants/respondents.

2. Applicant has filed the instant application seeking staying the operation and execution of the impugned judgment dated 17.12.2024, passed by Learned Appellate Court in CM Appeal No.28 of 2024 [Annexure P-6], whereby the status quo orders passed by Learned Trial Court in CMA No.655 of 2023 on 30.04.2024 [Annexure P-4] has altogether been reversed.

3. Taking into account the entirety of facts and circumstances and submissions made by learned counsel for the petitioner, this court is of the considered view that interim protection needs to be accorded to the

petitioner at this stage, so as to prevent any prejudice to applicant-petitioner or non-applicant-respondents at this stage. Moreover, the reversal of status quo orders also amounts to causing serious prejudice to petitioner, when, based on the prima facie case, balance of convenience and irreparable loss, the Learned Trial Court on examining the entire matter in aforesaid backdrop had passed the status quo order on 30.04.2024.

4. In these circumstances, respondents are directed to maintain status quo qua the suit land till the next date of hearing, as :-

- (i) Comprised in Khewat No.273, Khatoni No.326, Khasra No.1496, measuring 00-07-11 Hects., situated at Mohal Heera, Sub-Tehsil Dulehar, District Una, H.P. [hereinafter referred to as the suit land-A].
- (ii) Comprised of Khewat No.472, Khatoni No.603, Khasra No.28, measuring 00-01-27 Hects., situated at Mohal Thara, Sub-Tehsil Dulehar, District Una, H.P.
- (iii) comprised of Khewat No.406, Khatoni No.517, Khasra No.3, measuring 00-05-00 Hects., situated

at Mohal Thara, Sub-Tehsil Dulehar, District Una,
H.P.

- (iv) comprised of Khewat No.404, Khatoni No.514, 515, Khasra No.2, 4, 441, 648, 660, 1138, 1152, 1251, 1252, 1723, 649, Kitta-11, measuring 00-61-04 Hects., situated at Mohal Thara, Sub-Tehsil Dulehar, District Una, H.P.

January 01, 2025
(Chiranjeev)

(Ranjan Sharma)
Judge