

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

**CM(M) No.08/2026
CM No.169/2026**

Date of Pronouncement: 19.01.2026

Uploaded on: .01.2026

**Rajo Rani, Age 45 years
D/o Kesar Jatt W/o Ganesh Kumar
R/o Raipur, Jagir Near Sari Rakwala,
Jammu.**

.....Petitioner/Appellant(s)

Through: Mr. Abhishek Gupta, Advocate.

Vs

- 1. Prithi Singh
S/o Lt. Sh. Sain Dass
R/o Village Gho Manhasan
Tehsil Marh, District Jammu.**
- 2. Bachan Lal
S/o Sh. Dhani Ram
R/o Village Gho Manhasan
Tehsil Marh, District Jammu.**

..... Respondent(s)

Through:

CORAM: HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

**ORDER
19.01.2026**

- 01.** The case set out by the petitioner is that a civil suit for permanent prohibitory injunction came to be preferred by respondent No.1 on 23.03.2019 in the Court of learned 2nd Civil Subordinate Judge (Passenger Tax), Jammu [“the trial Court”] and on the same date, an *ex parte* interim injunction came to be passed, vide which, parties were directed to maintain status quo on spot, qua the suit land. The petitioner preferred an application for implementation of the said status quo order on 13.12.2024, which came to be allowed. Subsequently, the petitioner preferred another application for implementation of status quo order dated 23.03.2019 on

25.11.2025 and the trial Court vide impugned order dated 28.11.2025 dismissed the said application. Petitioner is aggrieved of this order passed by the trial Court on various grounds urged in the memo of petition.

02. As per the mandate of Order 39 Rule 3-A C.P.C, Civil Court is obliged to decide application for temporary injunction within a period of 30 days from the date on which the injunction was granted and where it is unable to do so, it shall record its reasons for such inability.
03. In the present case, the suit came to be preferred by the respondents on 23.03.2019, i.e. more than six years back. However, learned trial Court has failed to exercise the jurisdiction vested under law and dispose of the application for temporary injunction till date, which is not contemplated under law.
04. In view of the above, present petition is disposed of with a direction to the trial Court to dispose of the application filed by the respondents, alongside the suit, for interim injunction within a period of two weeks from the date copy of this order is made available.
05. *Disposed of.*

(Rajesh Sekhri)
Judge

Jammu
19.01.2026
Eva

Whether the order is speaking or not?	Yes/No
Whether the order is reportable or not?	Yes/No