



JASVIR KAUR

...Petitioner

Vs.

RAMESH KUMAR AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Saurabh Kaushik, Advocate for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present revision petition has been filed challenging the order dated 05.08.2024 passed by the learned Civil Judge (Junior Division), Nabha, whereby, at the very inception of the suit, an order of *status quo* was granted on the application for interim injunction and the same has been continuing ever since. It is submitted that despite the passage of considerable time, the said application for interim injunction has not been finally adjudicated upon and remains pending before the learned Trial Court. It is further submitted that the petitioner had also moved an application under Order 39 Rule 4 CPC seeking vacation/modification of ad interim injunction order; however, even the said application has not been decided till date, despite lapse of nearly two years. The petitioner, thereafter, also moved an application requesting early disposal of the pending application on priority basis, but the same too has not been considered or decided by the learned Trial Court, resulting in continuation of an interim arrangement without final adjudication of rights of the parties.

2. It is submitted that as per settled principles governing Order 39 CPC, particularly in cases where *ad interim ex parte* injunction is granted, the interim application is required to be considered and disposed of within 30 days



after hearing both the parties, so that the rights of the parties are not left uncertain for an indefinite period. However, in the present case, the *ad interim* injunction order has been continuing for more than one and a half years without final adjudication of the application under Order 39 Rules 1 and 2 CPC, thereby resulting in prolonged continuation of an interim arrangement without determination of rights on merits. It is further submitted that the petitioner has been diligently pursuing the matter and has taken all possible steps for early disposal of the said application, including moving an application under Order 39 Rule 4 CPC for vacation/modification of the *ad interim* injunction, as well as another application requesting the learned Trial Court to hear both the parties and decide the injunction application finally on merits.

3. Accordingly, this Court is of the view that the present case warrants exercise of supervisory jurisdiction under Article 227 of the Constitution of India to ensure expeditious adjudication of the pending interim injunction application. It is therefore directed that the learned Civil Judge (Junior Division), Nabha, shall dispose of the application under Order 39 Rules 1 and 2 CPC on the next date already fixed, after hearing arguments of both the parties. The learned Trial Court shall be at liberty to take a period of seven days thereafter for preparation and pronouncement of the order, in accordance with law. The present petition is **disposed of** in the above terms.

(VIRINDER AGGARWAL)
JUDGE

21.04.2026

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No