

| SL. No | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGES'S ORDERS   |
|--------|------|--|--|
|        |      |  | <p>WPMS No.3189 of 2025<br/> <b><u>Hon'ble Pankaj Purohit, J.</u></b><br/> Mr. Nikhil Singhal, learned counsel for petitioners/defendant Nos.5 and 6.</p> <p><b>2.</b> This writ petition has been filed by petitioners challenging the judgment and order dated 06.01.2025 passed by learned Civil Judge (Sr. Div.), Haridwar, in Original Suit No.357 of 2021 <i>Smt. Mamta Ahuja @ Vani Kalra Vs. Smt. Tarun Valecha and Others</i>, whereby, directions have been issued to maintain <i>status quo</i> with regard to the suit property.</p> <p><b>3.</b> It is contended by learned counsel for petitioners that the Suit was filed by respondent No.1/plaintiff against the petitioners/defendant Nos.5 and 6 and other defendants for partition. In the said Suit, notices were issued vide order dated 27.10.2021 and at the same time, notices were issued on the temporary injunction application No.7C. Objections have been filed on application No.7C for temporary injunction, but the application No.7C is still pending for disposal.</p> <p><b>4.</b> It is further contended by him that inadvertently, in order dated 06.12.2024, it has come wrongly that application No.7C has been allowed, which was subsequently recalled on application moved by the defendant Nos.3 &amp; 4. But again in the order dated 06.01.2025, it has come that the parties shall maintain <i>status quo</i> with regard to the suit property.</p> <p><b>5.</b> It is argued by learned counsel for petitioners-defendant Nos.5 &amp; 6 that since the application No.7C has yet been not disposed of by the learned Trial Court, such an order cannot be passed, rather the application No.7C should have been decided by the learned Trial Court,</p> |

as the objection to the said application has already been filed.

**6.** Learned counsel for petitioners draw the attention of this Court to Page No.18 of the writ petition, which is impugned order. In its Para No.11, the case was adjourned for hearing on the application No.7C. According to learned counsel for petitioners this fact further proved that the application No.7C is yet to be heard. In such view of the matter, there was no occasion for the learned Trial Court to pass the *status quo* order in respect of the suit property.

**7.** Prima-facie, this Court is satisfied with the submission made by learned counsel for petitioners/defendant Nos.5 and 6.

**8.** Issue notice to respondent No.1/ plaintiff, returnable within six weeks.

**9.** Steps to be taken within 03 days.

**10.** Put up on 10.04.2026.

**11.** Meanwhile, respondent No.1 may file counter affidavit.

**12.** Till the next date of listing, operation and effect of the impugned judgment and order dated 06.01.2025, shall remain stayed, to the extent whereby the parties to the Original Suit were directed to maintain *status quo* with regard to the suit property.

**13.** Interim relief application (IA/1/2025) stands disposed of.

**(Pankaj Purohit, J.)**

09.01.2026