

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

CR No. 127/2006

Date of Order: 24.9.2007

Chaman Lal v. Padam Dev Singh

Coram:

Hon'ble Mr. Justice H. Imtiyaz Hussain

Appearing Counsel:

For the petitioner(s) : Mr. Pawan Kumar, Advocate

For respondents(s): :

On hearing the learned counsel for the petitioner, I could not find any illegality or irregularity in the order impugned. Respondent has filed a suit for permanent injunction in respect of the land as mentioned in the plaint before the learned Sub Judge, Samba. Learned Sub Judge has framed as many as four issues in the case. Issue No. 1 relates to the jurisdiction of the case as the present petitioner has raised preliminary objection before the trial court regarding the jurisdiction of the court to try the suit. The trial court has addressed itself to the said issue and has on examination of various provisions of the Land Revenue Act as also Agrarian Reports Act come to the conclusion that the permanent

prohibitory injunction as prayed by the respondent-plaintiff can be granted by the civil court also. Thus I find due application of mind on the part of the trial court as such I do not find any ground to interfere with the said order.

It was submitted by the learned counsel for the petitioner that the petitioner is aggrieved of the status-quo order passed by the trial court stopping the construction on the disputed land. Let him apply to the trial court for appropriate orders in this behalf.

The Revision Petition is accordingly, disposed of.

(H. Imtiyaz Hussain)
Judge

Jammu
24.9.20007
chuni/pps