

Hari Prasad Vs. Gopal

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Court : Madhya Pradesh

Decided On : Apr-01-2013

Appellant : Hari Prasad

Respondent : Gopal

Advocate for Def. : Shri. Sanjeev Singh

Advocate for Pet/Ap. : Shri. Arun Kumar Choubey

Judgement :

W.P.No.15983/2011 02/04/2013 Shri Arun Kumar Choubey, learned counsel for the petitioner.

Shri A.S.Jha, learned Sr.Advocate with K.S.Rajput, learned counsel for Respondent No.1.

Shri Sanjeev Singh, learned counsel for Respondent No.2.

Challenging the order dated 22.7.2011 passed by the 1st Additional District Judge, Harda interfering with an injunction granted by the trial court, petitioner has filed this writ petition.

Even though, various grounds are raised in this writ petition challenging the interference made by learned appellate court, the fact remains that while issuing notice on 18.3.2011, status-quo was directed to be maintained and this order has

continued for a period of more than one and half year not and prior to that, the injunction granted by the trial court was in operation.

Keeping in view the aforesaid circumstances and considering the submissions made by learned counsel for the parties at the time of hearing, this petition is allowed.

The order of status-quo shall continue to remain in operation and parties are directed to maintain the same during the pendency of the suit.

The parties shall produce this order before the trial court and within one year of the production of this order, the trial court shall decide the same after hearing all concerned.

With the aforesaid, the petition is allowed and disposed of.

Certified Copy as per rules.

(Rajendra Menon) Judge nd

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