
(1990) 02 RAJ CK 0006

In the Rajasthan High Court

Case No : Civil Revision Petition No. 183 of 1989

Vijay Singh

APPELLANT

Vs

Dinesh chandra

RESPONDENT

Date of Decision : 22-02-1990

Acts Referred:

Citation : (1990) 2 RLW 538 : (1990) WLN 52

Hon'ble Judges : S.M. Jain, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Sobhag Mal Jain, J.—Dineshchandra, respondent here in, claiming himself to be a tenant of the defendant Vijay Singh, appellant here in, filed a suit in the Court of Munsif & Judicial Magistrate, (South), Udaipur, for permanent injunction to restrain the defendant, from interfering with the possession of the plaintiff in the shop situate in 16, Bhamashah Marg. The defendants have described it as a garage. On August 3, 1988, the plaintiff also filed an application for temporary injunction. By the order dated August 4, 1988, the Munsif appointed a Commissioner to inspect the site and also directed status quo to be maintained. The defendant filed a reply to the application for interim injunction. After hearing both the parties and taking into account the affidavits and the report of the Commissioner, the Munsif, by the order dated Dec. 8, 1988, granted temporary injunction in favour of the plaintiff restraining the defendant from interfering with the possession of the plaintiff in the suit shop. Against this, the defendant took the matter in appeal before the District Judge, Udaipur, who by the order dated April 21, 1989, dismissed the same. Aggrieved, the defendant has filed the present revision in this Court.

2. After hearing Shri M.C. Bhandari, counsel for the petitioner and Shri N.N. Mathur, counsel for the respondent, I do not find sufficient grounds to interfere in revision with the order passed by the learned Courts below. The learned District Judge has, in terms, recorded the findings:

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3. Counsel for the petitioner, was unable to satisfy me that the orders of the learned Courts below suffer from any error of jurisdiction. I do not find any illegality or irregularity committed by the learned Munsif in the exercise of jurisdiction.

4. In there suit, there is no force in the present revision and the same is here by dismissed.