

**PUNJAB AND HARYANA HIGH COURT**

Before:- Mr. Vinod K. Sharma, J.

CR No. 7058 of 2009 (O&M). D/d. 30.8.2010.

Dilbag Singh and others - Petitioners

**Versus**

Harpal Dass @ Harpal Singh Chela - Respondent

For the Petitioners:- Mr. Hemant Saini, Advocate.

For the Respondent:- Mr. Ashish Aggarwal, Advocate.

**Cases Referred :**

[Smt. Poonam v. Sumit Tanwar, AIR 2010 SC 1384.](#)

**JUDGMENT**

**Vinod K. Sharma, J.**(Oral) - The petitioners have invoked the jurisdiction of this court under Article [227](#) of the Constitution of India, to challenge the order dated 14.09.2009, passed by the learned courts below vide which application moved by the plaintiff/respondent under Order 39 Rules 1 & 2 of the Code of Civil Procedure was accepted, vide which the petitioners were restrained from interfering/intermeddling in the peaceful possession of the plaintiff and dispossessing the plaintiff from the suit property, in any manner, till the decision of the suit.

2. Earlier, Mr. A.K. Varmani, Advocate, was representing the petitioners. Thereafter, Mr. Munish Behl, Advocate, appeared and sought time to seek instructions to comply with the order passed by this court as the petitioners/defendants had violated the order of status quo passed by this court. The learned counsel was asked to seek instructions, whether the petitioners were willing to restore the possession taken in violation of the order passed by this court.

3. Mr. Hemant Saini, Advocate, thereafter appeared for Mr. Munish Behl, Advocate, on August 20, 2010 and sought adjournment on the ground that he has been engaged by the petitioners.

4. Accordingly, the case was adjourned to 30.8.2010 with a specific order that no further adjournment shall be granted.

5. Today again, Mr. Hemant Saini, appearing on behalf of the petitioners refused to address the arguments on merit.

6. Hon'ble Supreme Court in the case of ***Smt. Poonam v. Sumit Tanwar, AIR 2010 SC 1384***, has been pleased to lay down that if the counsel for the petitioner renders no assistance to the court, it is open to the court to decline to entertain the petition.

7. In view of the law laid down by Hon'ble Supreme Court in the case of ***Smt. Poonam v. Sumit Tanwar*** (supra) and in view of the fact, that the learned counsel for the petitioners has refused to render any assistance, this revision petition is dismissed.