



2026:PHHC:051179



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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-2856-2026(O&M)
Date of decision: 02.04.2026

Sumita Kulshreshta

... Petitioner

Versus

Milind Kulshreshtha

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Himanshu Setia, Advocate,
for the petitioner

VIKRAM AGGARWAL, J. (ORAL)

The instant revision petition, preferred under Article 227 of the Constitution of India, assails the order dated 28.08.2025 (Annexure P-1), passed by Principal Judge, Family Court, Gurugram, vide which the petitioner has been restrained from alienating the suit property.

2. The facts, as emanating from the petition, are that in a petition having been instituted by the petitioner-wife under Section 13 of the Hindu Marriage Act, 1955, a decree of dissolution of marriage was passed by the Family Court, Delhi, vide judgment dated 12.03.2025 (Annexure P-4). Subsequently, a civil suit (Annexure P-2) was instituted by the respondent-husband for declaration and permanent injunction as regards the property bearing No.14/3, Harmony Homes, Sector 57, Sushant Lok-III (hereinafter referred to as '**the suit property**'). It was claimed that it was the respondent-husband, who was the lawful owner of the suit property, and that it was he who had purchased the property in the name of the petitioner-wife.



3. In the said suit, written statement (Annexure P-3) was filed denying the claim of the respondent-husband. Reply to the application under Order XXXIX Rules 1 and 2 CPC, seeking *ad interim injunction*, was also filed.

4. Vide impugned order dated 28.08.2025, the trial Court restrained the petitioner-wife from alienating the suit property.

5. Learned counsel for the petitioner submits that the said order was passed in haste, and that taking undue advantage of the said order, the respondent-husband is not permitting his wife to enter the suit property. He further submits that the said order has caused grave prejudice to the rights of the petitioner-wife.

6. During the course of arguments, learned counsel for the petitioner-wife submits that directions be issued to the Court concerned to dispose of the application filed under Order XXXIX Rules 1 and 2 CPC in a time bound manner, for, the apprehension of the petitioner is that attempt shall be made by the respondent-husband to delay the proceedings.

7. Having considered the matter, this Court does not find any illegality in the impugned order. However, it is not unknown that after obtaining stay, parties make attempts to delay the proceedings. In the matter of the kind where husband and wife are at loggerheads, it would be always in the interest of Justice that an early decision is taken in the application for injunction.

8. Accordingly, while upholding the order dated 28.08.2025, the instant revision petition is disposed of with a direction to the Family Court, Gurugram, where Civil Suit No.79 of 2025 is pending, to dispose of the



application moved under Order XXXIX Rules 1 and 2 CPC, preferably on the date fixed, which is 13th May, 2026, after hearing arguments of learned counsel for the parties and strictly in accordance with law.

9. However, nothing observed hereinabove shall be construed to be an opinion on the merits of the case.

10. Pending application(s), if any, also stands disposed of.

(VIKRAM AGGARWAL)
JUDGE

April 2, 2026

Rajan

Whether speaking / reasoned:

Yes/No

Whether Reportable:

Yes/No