

***RSA No. 478 of 2016***

**9.11.2016 Present:** Ms. Megha Kapoor Gautam Advocate for the applicants.  
Mr. Dhananjay Sharma Advocate for non-applicant No.1.  
None for non-applicants Nos. 2 to 6.

**CMP No. 9253 of 2016**

Application filed under Section 151 of Code of Civil Procedure with prayer to convert the application filed under Order 41 Rule 5 CPC into application filed under Order 39 Rules 1 and 2 CPC. Court is of the opinion that mistake is purely clerical in nature. Hence in view of above stated facts application is allowed and CMP No. 9229 of 2016 filed under Order 41 Rule 5CPC is converted into application filed under Order 39 Rules 1 and 2 CPC in the ends of justice. CMP No. 9253 of 2016 is disposed of.

**CMP No. 9229 of 2016**

Learned Advocate appearing on behalf of non-applicant No.1 sought time to file response. Granted. Response be filed within four weeks. Prima facie case and balance of convenience are in favour of applicants and applicants will suffer irreparable loss if ad-interim injunction is not granted at this stage. Both parties are directed to maintain status quo as of today qua nature and possession over suit property comprised in Khata No.16 Khatauni No. 22 min Khasra No. 49/1 measuring 502.75 Sq. metres situated at Up Sampada Kedarnath Tehsil Paonta Sahib District Sirmaur H.P. till further order. Compliance of Order 39 Rule 3 CPC be effected forthwith. Be listed after four weeks.

**November 09, 2016**  
**(ms)**

**(P.S. Rana)**  
**Judge**