



CR-4820-2026

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

158+388

CM-13269-CII-2026 IN/AND
CR-4820-2026 (O&M)
Decided on : 13.07.2026

Hari Chand Hans

...Petitioner

Versus

Balwinder Singh (deceased) through LR's and others

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rohit Sud, Advocate,
Mr. Sameesh Bassi, Advocate,
Mr. Ishant Pathak, Advocate,
for the petitioner.

Mr. Akshay Jindal, Senior Advocate,
with Mr. Vrishank Suri, Advocate,
for the respondents.

HARPREET KAUR JEEWAN, J.

1. The petitioner-plaintiff filed a suit seeking declaration that he is owner of the property bearing House No.706, Sector 11, Panchkula and sought permanent injunction restraining the respondent-defendant Nos.1 to 4, from raising any sort of illegal and unauthorized construction and further sought mandatory injunction to demolish the structure of House No.705, Sector 11, Panchkula (adjoining house). An application seeking interim relief was also filed that till the decision of the suit, defendant Nos.1 to 4 may be restrained from raising any sort of construction against the norms of the Haryana Shehri Vikas Pradhikaran (HSVP) and the Haryana Building Code in the aforesaid House No.705 and also requested for appointment of Structure Engineer.



CR-4820-2026

2. Initially, the trial Court passed order dated 23.02.2023 and sought a technical report of inspection. The Engineers of Punjab Engineering College inspected the site and submitted a report dated 03.04.2024 (Annexure P-7). As per the said report, while giving conclusions and final recommendations, proposal for remedial measures to rectify the damage in house No.706 were given as under:-

“CHAPTER 4

CONCLUSIONS AND FINAL RECOMMENDATIONS

The two houses i.e. House Nos. 706 and 705 were studied for their structural stability. It was found that the major damage in House No.706 occurred mainly due to settlement of soil below its foundation during the excavation of soil in House No.705 without having followed adequate protective measures for stability of the adjoining soil strata. Further, outside the kitchen area of House No. 706, it was seen that soil conditions were very poor as compared to that of other parts. This could be attributed to the leakage of water in that area, in the past, through drain pipes etc.

A. Proposal of remedial measures to rectify the damage in House No. 706:

The remedial measures to rectify the damage in house no.706 need to be done in two phases.

Phase 1: Soil Strengthening

The soil strata up to a depth of -4 m, under the wall foundations of House No. 706 should be consolidated by using deep injection grouting technique using expanding 2-part Geo-Resins. After the deep injection of Geo-Resin in the soil strata below the foundations, re-level of the floors, doors and windows to be done by injection grouting. This work is required to be executed by a technical firm having prior proven experience of similar work. The budget estimate for the same has been given by URETEK India Pvt. Ltd., in its final report. (Annexure II).

Phase 2: Repair of damaged components

After Phase 1, the distress in the structure needs to be monitored for at least six months. If no further significant distress i.e. crack widening, appearance of new cracks, floor settlement etc, occurs then second phase of further repair works of damaged components to be done. Damaged floor tiles be replaced by new ones. Cracks in the brick walls be got repaired by epoxy injection followed by



CR-4820-2026

replastering and whitewash. Bent window grills be replaced by new ones. Wooden doors and windows be got repaired for their easy opening and closing. The rough cost estimate for the repair works can be taken as about 4-5 lakhs.

B. Recommendation of retrofitting required in House No. 705.

The following retrofitting works are required to be undertaken under technical supervision, in House No. 705 for the structural safety:

- 1. Three RC columns namely C-1A, C-2 and C-3 were found undersized and need to be retrofitted in order to comply with the structural drawings.*
- 2. The floor beam CB-5 at First, Second and Third floor level were found missing and need to be incorporated as per structural drawings.*
- 3. The two footings F-2 and F-3 were found to be deficient and need to be retrofitted in order to comply with the structural drawings.*
- 4. All other footings also need to be checked for their compliance with the structural drawings. If found deficient, they should be retrofitted accordingly.*
- 5. The balance finishing works of the house may be executed after the retrofitting of the existing structure as stated above.*

Important Note:

It is pertinent to mention here that the conclusions of the present study and final recommendations are based on the data/information provided by the house owners, tests conducted at site at the time of inspection by the PEC team in association with URETEK India Pvt. Ltd.”

3. Thereafter, the trial Court passed the order dated 04.04.2026 (Annexure P-10), deciding the application for interim injunction, whereby defendant Nos.1 to 4 were permitted to initiate the interior work in House No.705, but subject to the condition that no other construction work shall be carried out. The said order was affirmed by the Appellate Court (Additional District Judge, Panchkula), while passing an interim order dated 26.05.2026 (Annexure P-12) during the pendency of the Civil Misc. Appeal. Aggrieved against the



CR-4820-2026

said order, the petitioner-plaintiff is before this Court by filing present Revision Petition.

4. During the course of submissions, Mr. Akshay Jindal, learned Senior Advocate, assisted by Mr. Vrishank Suri, Advocate, representing the private respondents has very fairly submitted that he would carry out remedial measures suggested in the report dated 03.04.2024 and submit a compliance report before the trial Court/appellate Court, before carrying out further construction and interior work.

5. Mr. Rohit Sud, Advocate representing the petitioner has submitted that the present Revision Petition be disposed of accordingly, however, he will pursue his application filed under Section 151 of the Code of Civil Procedure, 1908, pending before the trial Court, pointing out the discrepancies in the approved plan and the building raised by respondent Nos.1 to 4, which shall be considered by the competent authority.

6. In view of the above, present revision petition is disposed of.

7. It is made clear that both parties shall remain bound by the statements made hereinabove.

8. Pending Civil Misc. application(s), if any, shall also stand disposed of.

13.07.2026

atulsethi

[HARPREET KAUR JEEWAN]
JUDGE

Whether speaking / reasoned :
Whether Reportable :

Yes	No
Yes	No