

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 2086 of 2015 (O&M)
Date of decision: 20.7.2015

Darshan Singh

.. Petitioner

v.

Mukhtiar Singh and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: None for the petitioner.

...

Rajesh Bindal J.

One of the plaintiffs having failed in both the courts below, whereby his application for interim relief was dismissed, has filed the present petition in this court.

The suit was filed with the allegation that as per the site plan placed on record, the plaintiffs had got constructed one drain which is 4 inches wide and 3 inches deep before their house and further in front of the house of the defendants, a cemented drain, which is 123 inches wide and 20 inches deep, has been constructed, which is already in use. The plaintiffs alleged that the defendants were threatening to divert the water of this drain into the drain constructed by the plaintiffs and in case the defendants succeed in doing so, the water would overflow into the drain constructed in front of the house of the plaintiffs resulting in damage to his property.

Both the courts below did not find any merit in the plea raised by the plaintiffs and dismissed the application for interim relief. The learned trial court in the impugned order referred to a letter written by Development and Panchayat Officer to Station House Officer, Police Station, Balianwali for taking action against the plaintiff, who was

obstructing the normal course of water. The suit was filed immediately thereafter.

Prima facie, there is no merit in the present petition. However, as counsel for the petitioner is not present, the petition is dismissed for non-prosecution.

(Rajesh Bindal)
Judge

20.7.2015
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