

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 3797 of 2015 (O&M)
Date of decision: 20.7.2015

Bidhi Chand @ Bidhi Singh

.. Petitioner

v.

Sham Singh and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Rohiteshwar Singh, Advocate for the petitioner.

...

Rajesh Bindal J.

The defendant has filed the present petition impugning the order dated 20.2.2015, passed by the learned lower appellate court, whereby in an appeal against the rejection of application under Order 39 Rules 1 and 2 CPC, the petitioner-defendant has been restrained from raising any further construction on the disputed portion of land in his possession.

In the case in hand, respondent No. 1-plaintiff had filed the civil suit seeking possession of the property in dispute after removal of super structure raised thereon. Part of the property is in possession of the present petitioner, on which he had raised some construction. As the learned lower appellate court had merely directed that the petitioner may not raise any further construction, which may complicate the issue, the order cannot be said to be erroneous.

The petition is, accordingly, dismissed.

(Rajesh Bindal)
Judge

20.7.2015
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