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

CR No.4632 of 2015

Date of decision: July 24, 2015

Gurcharan Singh @ Charan Singh and others

.....Petitioners

Versus

Krishna Devi and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. S.S. Nara, Advocate
for the petitioners.

SABINA, J

Petitioners have filed this petition challenging the orders dated 07.05.2014 and 21.05.2015.

Learned counsel for the petitioners has submitted that the petitioners have filed suit for mandatory injunction. During the pendency of the suit, the defendants were liable to be restrained from raising the level of the passage and make it *pacca rasta*.

Petitioners have filed suit for mandatory injunction. Alongwith the suit, petitioners moved an application for temporary injunction that the defendants be restrained from further raising the level of the passage in question and be further restrained to construct the *pacca* street. The defendants No.1 to 6 in their reply pleaded that they had purchased plots from the plaintiffs and had constructed their houses. The passage in question was uneven and was at a

lower level compared to their houses. In fact, the defendants had been requesting the Gram Panchayat to construct *pacca* street. The Courts below had, thus, rightly dismissed the application moved by the petitioners for temporary injunction as the petitioners had, although, sold plots to the private defendants but had failed to construct the street. Now, the private defendants were requesting the Gram Panchayat to construct the street to enable them to approach their houses.

No ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

July 24, 2015

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