

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

**CR No.5829 of 2012 (O&M)
Date of decision: 22.12.2015**

Sher Singh

... Petitioner

versus

Prem Singh and others

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. J.S. Bhandohal, Advocate for the petitioner.

Mr.R. D. Bawa, Advocate with
Mr. Samuel Gill, Advocate for the respondent No.1.

K.Kannan, J. (ORAL)

The revision is against the order directing an action on the basis of complaint by the respondents that there has been a breach of the terms of the compromise that was entered into between the parties and recorded on 28.06.2000.

The respondent's grievance was that the petitioner had allowed for protrusions from the windows that encroached upon the property which was being used as a street, that he was letting waste water to flow on the street and that further, he has fixed a gate in such a way that steps are constructed for access into the house from the street actually in some portion of the street itself.

The public body in whom a street would vest is itself not party but the party ought to be bound by the terms which they have agreed to. The Court below will appoint a local commissioner accompanied with the bailiff to inspect the property and if there are any violations of the compromise as noted will report on such violations if they exist and the court will pass suitable orders for their removal through the bailiff. If there are no violations the local commissioner will give a report regarding the state of affairs.

The appointment and the completion of work shall be completed as expeditiously as possible and preferably within a period of 3 months. The order passed stands modified and the revision petition is disposed of the above terms.

(K.KANNAN)
JUDGE

22.12.2015
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