

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

**CR No.8548 of 2015 (O&M)
Date of decision: 15.12.2015**

Hans Raj and others

....Petitioners

Versus

Municipal Committee, Uklana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rose Gupta, Advocate
for the petitioners.

RITU BAHRI J. (Oral)

The petitioner has come up in revision against the order dated 01.10.2015 (Annexure P-1), passed by Civil Judge (Jr. Division), Hisar and the order dated 05.11.2015 (Annexure P-2), passed by Additional District Judge, Hisar, whereby his application under Order 39 Rules 1 and 2 CPC has been dismissed.

The plaintiffs-petitioners are the permanent residents of village Budha Khera, Tehsil Barwala, District Hisar and the suit was filed by them in representative capacity seeking ad interim relief of temporary injunction that the defendants be restrained from changing the nature of the land measuring 387 kanals 11 marlas comprised in Khasra Nos.124 and 125 of the village. The

alleged construction of a park would not change the nature of the suit property. The park is being constructed for the public at large/inhabitants in specific Khasra Nos.124 and 125. The Gram Panchayat has passed a resolution on 21.10.2013 pertaining to park and thereafter, the Government has sanctioned Rs.80 lacs for construction of the park. 80% construction of the park has already been completed and the plaintiffs-petitioners were aware about the resolution and letters dated 04.03.2015 and 05.09.2014, whereby monetary grants were sanctioned by the Government.

No ground for interference is made out.

Dismissed.

(RITU BAHRI)
JUDGE

15.12.2015

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