

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

CR No.8632 of 2015 (O&M)

Date of Decision: December 19, 2015

Gobindram

.... Petitioner

vs.

Municipal Council and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. M.L. Saini, Advocate for the petitioner.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 04.11.2015 (Annexue P-3) passed by learned Addl. District Judge, Narnaul, affirming the order dated 17.05.2013 passed by learned Addl. Civil Judge (Sr. Divn.), Narnaul, vide which the application of the plaintiff-petitioner for grant of ad interim injunction against the Municipal Corporation and Wakf Board, was dismissed.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

The lower court after considering the documents placed on file including some previous litigation, came to the conclusion that suit property is owned by the Provincial Government and the Wakf Board under which the plaintiff claimed to be tenant over the suit property, was neither the owner nor competent to lease out the same

in favour of the plaintiff and his brother Satyanarain. The plaintiff was held to be a trespasser. Therefore, the injunction was refused. The order was upheld in appeal.

Learned counsel for the petitioner has argued that there is a decree in favour of the plaintiff and that the same could not be placed on file before the lower court.

I am of the view that the lower court passed the order after considering the documents placed on file. Even in the appeal, no new document was produced and therefore, no new document can be allowed to be produced in the present appeal.

This court is of the view that there is no illegality or infirmity in the impugned orders. The impugned orders are based on the documents placed on file. Therefore, while exercising the revisional powers, there is no ground to interfere in the same.

Accordingly, the present revision petition stands dismissed.

December 19, 2015
sarita

(KULDIP SINGH)
JUDGE