

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

CR No.8662 of 2014
Date of Decision: 16.01.2015

Jatinder Singh

. . . .Petitioner

Versus

Dharvinder Singh

. . . . Respondent

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Sandeep Arora, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

Learned counsel for the petitioner has submitted that one Gulzar Singh was having an electric tube-well connection No.AP01/320 of 7.5 BHP in his field measuring 54 Kanal 16 marla.

The case set up by the petitioner is that after the death of Gulzar Singh not only the agricultural land was divided by his own sons but also the electric connection fell to the share of the petitioner.

However, the plaintiff has filed the suit for permanent injunction and also prayed for temporary injunction restraining the present petitioner not to obstruct him from using the said tube-well electric connection. Both the Courts below have granted injunction in favour of the plaintiff on the ground that there is no evidence brought on record by the petitioner that there was any partition of the property by Gulzar Singh and it has been found *prima facie*

that the land is still joint and there is only one electric connection which is being used by both the parties.

Learned counsel for the petitioner has, however, argued that the plaintiff is using separate electric connection and has no concern with the electric connection in question, therefore, the Courts below have committed an error in granting injunction to the plaintiff. At the same time, he has candidly admitted that no evidence much less documentary is in his possession or placed on record to prove the other electric connection in possession of the plaintiff.

Thus, the finding recorded by both the Courts below is found to be without any blemish and hence, I do not find any merit in the present revision petition and the same is hereby dismissed.

16.01.2015*Vivek***(RAKESH KUMAR JAIN)
JUDGE**