

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

Date of Decision: 07.01.2015

RSA No.3607 of 2001

Manohar Lal

...Appellant

Versus

Tek Chand & others

...Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

Present: Mr. Sanjay Mittal, Advocate, for the appellant.

Mr. Ajay Jain, Advocate, for the respondents.

HEMANT GUPTA, J. (ORAL)

The plaintiff-appellant is in second appeal aggrieved against the judgment and decree passed by the Courts below, whereby suit for permanent injunction restraining the defendants not to interfere into the action of the plaintiff for laying the underground sewerage pipes in the street in question was dismissed for the reason that the matter is pending before this Court arising out of civil suit No.537 of 1983.

Vide separate judgment of today in RSA No.1528 of 1989, it has been held that the street in question, where the plaintiff wishes to lay sewerage pipes, is carved out, out of the land owned by the plaintiffs in the said suit i.e. Tek Chand & others, the defendants in the present appeal.

In view of the findings recorded in the said suit, no substantial question of law arises for consideration in the present second appeal. Consequently, the same is dismissed.

07.01.2015

Vimal

**(HEMANT GUPTA)
JUDGE**