

**In the High Court of Punjab and Haryana at Chandigarh**

**Civil Revision No.4194 of 2016(O&M)**

**Date of Decision: 5.9.2016**

**Kirpal Singh**

**--- Petitioner**

**versus**

**A.G.M. Op. Sub Division, DHBVN Limited Dharuhera and another**

**---Respondents**

**Coram: Hon'ble Mrs. Justice Rekha Mittal**

**Present: Mr. S.K.Tripathi, Advocate  
for the petitioner**

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**Rekha Mittal, J.**

The present petition has been directed against orders dated 6.10.2015 (Annexure P-7) and dated 1.2.2016 (Annexure P-10) whereby application of the petitioner for grant of interim injunction was dismissed by the trial court and order of the trial court was affirmed in appeal. Further challenge has been laid to order dated 31.3.2016 (Annexure P-12) passed by the trial court whereby suit for declaration filed by the petitioner has been

dismissed under Order 17 Rule 3 of the Code of Civil Procedure.

As the suit filed by the petitioner has been dismissed by the trial court, the only remedy available with the petitioner is to challenge order dated 31.3.2016 by way of filing an appeal before the Court of District Judge.

In view of the above, the petition is dismissed being non-maintainable but without prejudice to rights of the petitioner to avail appropriate remedy, in accordance with law.

**(Rekha Mittal)**  
**Judge**

**5.9.2016**  
PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No