

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

CWP No.1530 of 2016 (O&M)

Date of Decision: 25.01.2016

Ram Sarup

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: Hon'ble Mr.Justice Surya Kant

Hon'ble Mr.Justice Harinder Singh Sidhu

Present: Mr. SL Chander Shekhar, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner is statedly the owner of land measuring 1 bigha 12 biswas comprising Khewat/Khatauni No.52/50, Khatauni No.150, Khasra No.261 Hadbast No.152 situated within the revenue estate of village Mandi, Tehsil Dera Bassi, District SAS Nagar Mohali. It is alleged that the Gram Panchayat wanted to shift *Hadda Rori* by encroaching upon the petitioner's land and apprehending such encroachment, he filed a civil suit for permanent injunction in which the Civil Court has granted him *ad interim* injunction restraining the defendants (including the Gram Panchayat) from interfering in his peaceful possession.

(2) The petitioner has however filed the instant petition alleging that Sarpanch and other local officers of State Government are hellbent to violate the Civil Court order.

(3) In view of the *ad interim* injunction granted by the Civil Court, we see no reason to entertain these parallel

proceedings, for in the event of violation of the injunction order, there lies an independent remedy under Order 39 Rule 2-A CPC.

(4) With liberty afore-mentioned, if need be, the writ petition is dismissed as premature at this stage.

(Surya Kant)
Judge

25.01.2016
vishal shonkar

(Harinder Singh Sidhu)
Judge