

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

CWP No.3114 of 2016

Date of Decision:-16.02.2016

Jaswinder Kaur

..... Petitioner

Vs.

Sate of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Ashok Bhardwaj, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

Learned counsel for the petitioner is basically asking for declaration that the electricity tower be installed as per the site plan and in the meantime, praying for an injunction that till it is decided by the respondents to install the tower as per site plan, they should be restrained from interfering in his land in which he has already grown crop. Essentially, the prayer made by the petitioner is of civil nature. He has also not been able to show that civil court jurisdiction is barred to entertain the suit for declaration and permanent injunction.

In view thereof, if the petitioner has an ordinary remedy, under the civil law of filing a civil suit, for redressal of his grievance, he cannot invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. The petitioner may, if so advised, file civil suit.

Dismissed as withdrawn.

Liberty granted.

**(RAKESH KUMAR JAIN)
JUDGE**

16.02.2016

Vivek

VIVEK PAHWA
2016.02.17 16:26
I attest to the accuracy and
authenticity of this document
High Court Chandigarh