

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

133

CR-4083-2017 (O&M).  
Decided on: July 13, 2017.

Harpal Singh and others

.. Petitioner(s)

VERSUS

State of Haryana and others

.. Respondent(s)

\* \* \*

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

\* \* \*

PRESENT Mr.Robin Singh Hooda, Advocate,  
for the petitioners.

M.M.S. BEDI, J. (ORAL)

Application for interim injunction, filed by the plaintiff-petitioners to restrain the defendant-respondents from constructing the drain in the village by raising its level and constructing the pond for storing dirty water, has been dismissed by the Courts below on the ground that there is no prima facie case in favour of the plaintiffs-petitioners and that no irreparable loss is likely to be suffered by them.

Counsel for the plaintiff-petitioners has drawn the attention of this Court to the photograph of the street indicating that pavement is being laid in the street raising the level. He has also submitted that by raising the level of the street, there is likelihood of water entering the houses in case of heavy rains.

I have heard the counsel for the plaintiff-petitioners and gone through the orders passed by the Courts below and I am of the opinion that relief of interim injunction can be granted when there is an imminent

threat of irreparable loss. Since the interim injunction has been sought on the basis of mere apprehension, it will not be appropriate to grant interim injunction stopping the development work which has been floated for benefit of village community.

No ground is made for interference in the orders passed by the Courts below. The revision petition is dismissed. However, it is observed that in case of any actual loss being caused or any imminent threat of any loss, it will be open to the plaintiff- petitioners to approach the trial Court again on the basis of the fresh facts.

**(M.M.S. BEDI)**  
**JUDGE**

**July 13, 2017.**  
**rka**

Whether speaking / reasoned  
Whether reportable:

Yes / No  
Yes / No