

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

C.R. No. 4810 of 2016 (O&M)

Date of decision:- 07.07.2017

Suresh Kumar

...Petitioner

Versus

Om Parkash and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. A.K. Khunger, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

This petition under Article 227 of the Constitution of India is for setting aside order dated 31.05.2016 (Annexure P-3) dismissing the application of the petitioner for appointment of any employee of the Court for inspection of the house in question and further for restart of drainage system, which has been damaged/blocked by respondent No. 2 and her son and for setting aside order dated 02.07.2016 dismissing the review application of the petitioner.

Learned counsel for the petitioner has referred to order dated 21.04.2005 whereby in an earlier suit filed by son of the petitioner, the learned trial Court permitted the applicant to get the obstruction that has occurred in disposal of the drinking/dirty water

removed through some plumber at own costs under the supervision of Sh. Avtar Singh, Advocate. His supervision fee was assessed at Rs.1000/- payable by the applicant.

Learned counsel contends that now the petitioner is facing the same problem again, created by defendant No. 2.

In view of the above factual position, order dated 31.05.2016 (Annexure P-3) is set aside and the learned trial Court is directed to get the drainage clean by giving direction to M.C Mansa to depute government employee to remove the obstruction and for this purpose, the petitioner is bound to make the payment of Rs.2000/- as supervision fee. A report be submitted within 2 weeks' before the learned trial Court.

The petition stands allowed to the above extent.

July 07, 2017

G Arora

(**RITU BAHRI**)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No