

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

Sr. No.249

Civil Revision No.8163 of 2015 (O&M)
DECIDED ON: May 11, 2017

GURMUKH SINGH

..PETITIONER

VERSUS

HARDEV SINGH AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Parvinder Singh, Advocate,
for the petitioner.

Mr. Manbir Singh Batth, Advocate,
for respondent No.1.

Mr. Y.P. Khullar, Advocate,
for respondent Nos.2 to 4.

JASPAL SINGH, J. (ORAL)

CM No.25492-CII of 2015

Heard.

Application is allowed as prayed for.

Documents (Annexures P-1 to P-7) are taken on record subject to all just exceptions and be tagged at appropriate place. The filing of certified copies also stands exempted.

Civil Revision No.8163 of 2015

By virtue of the instant civil revision preferred under Article 227 of the Constitution of India, petitioner has sought the setting aside of

Civil Revision No.8163 of 2015 (O&M)

impugned order dated August 13, 2015 (Annexure P-7) vide which an application XXXIX Rule 1 & 2 read with Section 151 CPC filed by the plaintiff/respondent No.1 has been allowed.

2. At the very outset of the arguments, it has emerged that as per the estimate prepared by the XEN Nawanshahr, the electricity wires were to cross through the road and not over the fields of the plaintiff-respondent No.1, which is otherwise a shortest route. Moreover, a perusal of the impugned order dated August 13, 2015 passed by the learned Additional District Judge, Shaheed Bhagat Singh Nagar (NawanShahr), the injunction if any, has been granted from erecting/installing electric poles and hanging electric wires over the property belonging to the plaintiff-respondent No.1 and not over the portion of the road. But, it appears that under the garb of the injunction order passed by the learned Additional District Judge, S.B.S. Nagar, Nawanshahr referred to above, the respondent Nos.2 to 4 i.e. Punjab State Power Corporation Limited are hesitating to erect/instal the electric poles as well as wires even in the area which founds part of the road. Let, the electric poles being erected/installed in the portion of the road and the electric wires be installed according to the site plan already approved by the Electricity Department for releasing the connection to the plaintiff-defendant No.1 .

3. With the aforesaid clarification, instant petition stands disposed of.

May 11, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No