

In the High Court of Punjab and Haryana at Chandigarh

Civil Revision No. 866 of 2017

Date of Decision: 23.8.2017

Nagar Council, Sunam

.....Petitioner

Versus

Ravinder Singh and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Kavita Arora, Advocate
for the petitioner.

Mr. Akshay Bhan, Senior Advocate with
Mr. Gurinder Singh, Advocate
for respondents No. 1 to 8.

Mr. D.S.Bhinder, Advocate
for respondent No. 9.

RITU BAHRI, J. (ORAL)

The petitioner-Nagar Council, Sunam has come up in revision against the order dated 8.11.2016 whereby Additional District Judge, Sangrur has allowed the application under Order 39 Rule 1 and 2 filed by the plaintiffs-respondents No. 1 to 8.

The dispute in the present case is that the respondents-plaintiffs had filed a suit against the notices sent to the plaintiff-respondent No. 1 under Section 195, 195-A and 220 of the Punjab Municipal Act, 1911. The plaintiff has constructed godowns in the year 2009 and he received the above said notices for demolition of the godowns on the ground that he had not taken permission from the Municipal Corporation, Sunam. In the civil suit, the plaintiffs had moved an application under Order 39 Rule 1 and 2

trial Court vide order dated 7.10.2016. However, in appeal, the said application has been allowed and the defendants have been restrained from demolishing the suit property till the decision of the suit. The trial Court in its order dated 7.10.2016 while dismissing the application under Order 39 Rule and 2 CPC has observed that issues have been framed and many witnesses of the plaintiffs have been examined.

Since the issues have been framed and the witnesses of the plaintiffs have been examined, no interference is required in the interim order dated 8.11.2016 passed by the Additional District Judge, Sangrur whereby demolition of the godowns have been stayed.

The revision petition is disposed of.

The trial Court is directed to conclude the trial expeditiously.

(RITU BAHRI)
JUDGE

August 23, 2017
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No