

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

CR No.8591 of 2015 (O&M)  
Date of decision : 25.05.2018

Shamo Devi and others

...Petitioners

Versus

Swarankar Sabha Regd. and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Harkesh Manuja, Advocate for the petitioners.

Mr. Rakesh Dhiman, Advocate for respondent Nos.1 to 3.

Ms. Adrija Das, Advocate for  
Mr. Amar Vivek, Advocate for respondent Nos.4 to 6.

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**ANIL KSHETARPAL, J. (ORAL)**

The order passed by the learned trial Court rejecting the application filed under Order 1 Rule 10 CPC has been challenged by way of this revision petition.

The applicants-petitioners claimed that they are residents of the colony and the plaintiffs by filing a suit have stopped the Municipal Corporation from laying down sewerage pipe which is for the common use of all the residents. The application has been dismissed on the ground that no relief has been sought against the petitioners.

In the considered opinion of this Court, the entire approach of the learned trial Court was erroneous. Here is a case where the Municipal

Corporation which was laying down a sewerage pipe for the facility of the residents is sought to be stalled by filing a suit. The residents of the area are affected party on account of the aforesaid.

In view thereof, the order under challenge is set aside.

The petitioners are impleaded as the defendants.

Revision petition is allowed.

**25.05.2018**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:-                      Yes/No**

**Whether reportable:-                                      Yes/No**