

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

RSA No. 1555 of 2018 (O&M)

Date of decision: 11.7.2017

Nar Singh (deceased) through his LRs Appellant

VERSUS

Lakhwinder Kaur and others Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Surinder Gaur, Advocate for the appellant.

REKHA MITTAL, J.(Oral)

The present appeal directs challenge against concurrent findings recorded by the Courts whereby suit for mandatory injunction filed by the respondents/plaintiffs to remove electricity supply line (poles and wires) illegally installed/erected by the appellant for his tubewell connection under O.Y.T. scheme against the sanctioned plan of Punjab State Power Corporation Limited through land of the plaintiffs detailed in headnote of the plaint was decreed by the trial Court and the appeal preferred by unsuccessful defendant/appellant did not find favour with the Additional District Judge, Faridkot.

After arguing for some time, counsel for the appellant would state that he does not press the appeal on merits but the judgments and decrees passed by the Courts may not be executed at least till 30.09.2018 so that paddy crop sown by the appellant does not suffer damage for want of source of irrigation on account of disconnection of power through poles and wires sought to be got removed by the respondents/plaintiffs.

In view of the above, the appeal is disposed of. However, the decree passed by the trial Court and affirmed in appeal (if not already executed) shall not be executed till 30.09.2018 in order to enable the appellant to make alternative arrangement for irrigation of his fields. No order as to costs.

JULY 11, 2018
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No