

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

CR-6293-2016 (O&M)

Date of Decision:15.10.2019

Behari Lal Charitable Trust

... Petitioner

Vs.

Madan Lal Kapoor (deceased) and others

... Respondents

CORAM : HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Sanjay Jain, Advocate
for the petitioner.

NIRMALJIT KAUR, J. (Oral)

This civil revision is filed against the impugned order vide which the application filed under Order 21 Rule 32 of the CPC was dismissed as they did not find any violation of the decree by the concerned JDs.

It is contended by the learned counsel for the petitioner that in the earlier reports dated 18.8.1984, there was mention of only 4 Pillars and 1 Statue but in the subsequent report of the Local Commissioner dated 20.9.1997, there is a mention of the Temple, therefore, the JDs have violated the earlier decree restraining them from raising any construction.

Heard.

By just mentioning that there is 'Temple' does not mean that the earlier dimension regarding 4 Pillars and 1 Statue has undergone any change or there was further construction. However, learned counsel for the petitioner has now placed on record photographs Ex.PA alongwith an application for early hearing showing that construction was in process.

In view of the above, the present civil revision is disposed of with liberty to the petitioner to file fresh application under Order 21 Rule 32 CPC alongwith the evidence or in case of any subsequent violation of the decree.

15.10.2019
rajeev

(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No