

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

CR-1957-2019

Date of decision:-20.3.2019

Rajeev Tyagi

...Petitioner

Versus

Gram Panchayat, Brahaman Majra

...Respondent

**CORAM: HON'BLE MR.JUSTICE H.S.MADAAN**

Present: Mr.Gaurav Sethi, Advocate  
for the petitioner.

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**H.S. MADAAN, J.(ORAL)**

Petitioner/plaintiff Rajeev Tyagi had brought a suit for grant of permanent injunction against defendant Gram Panchayat, Brahaman Majra, Tehsil Ambala Cantt for restraining the defendant Gram Panchayat from changing the use of Shivala Mandir and Sati by raising any type of construction over the area measuring 4 kanals 9 marlas. In that suit, the plaintiff had filed an application for grant of ad interim injunction, which was dismissed by the trial Court vide order dated 25.2.2019.

The plaintiff had filed an appeal against that order to the Court of District Judge, Ambala, which was dismissed vide order dated 14.3.2019 passed by learned Additional District Judge, Ambala. Therefore, the plaintiff has come to this Court by way of filing the present revision petition praying for setting aside of the orders passed by the Courts below and granting ad interim injunction to him.

I have heard learned counsel for the petitioner besides going

through the record.

I find that the orders passed by the Courts below are well reasoned and do not suffer from any illegality or infirmity. It has been noticed that the nature of the suit land as mentioned in the revenue record is *shamlat deh hasab rasad arazi khewat wasideh*, though nature is mentioned to be '*gair mumkin satti*' and that Gram Panchayat is raising construction of Dharamshala over it for public purposes. Further, the plaintiff had fled the suit without service of mandatory notice of two months and he was the only aggrieved person having filed the suit in individual capacity with no other resident of village having approached the Court raising objection to construction of Dharamshala, which was for public purposes. The law is well settled that the orders passed by the Courts below with respect to grant/denial of ad interim injunction are not to be interfered with unless those are perverse or illegal. The orders in this case passed by the Courts below are certainly not of that type. No interference therewith is called for while exercising revisional jurisdiction.

Finding no merit in the civil revision petition, the same stands dismissed.

20.3.2019  
Brij

(H.S.MADAAN)  
JUDGE

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

**Whether reportable : Yes/No**