

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

CR-5844-2019 (O&M)

Date of decision: 17.09.2019

Vikas Rana and another

...Petitioners

Versus

Gram Panchayat, Village Tapu Kamalpur

...Respondent

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

Present: Mr. Namit Khurana, Advocate for the petitioners.

H.S. MADAAN, J. (Oral)

Plaintiffs Vikas Rana and Rukam Pal, residents of Village Tapu Kamalpur, Tehsil Jagadhri, District Yamuna Nagar had brought a suit against Gram Panchayat of their village, restraining it from raising any construction over the land comprised in khasra No.3//23/2 and 24 situated at Village Tapu Kamalpur, H.B No.140, Tehsil Jagadhri, District Yamuna Nagar. Along with the suit, they had moved an application for grant of ad-interim injunction. On getting notice, defendant-Gram Panchayat appeared and contested the suit as well as application for grant of ad-interim injunction. Vide order dated 31.07.2019, trial Court of Civil Judge (Jr. Divn.) Yamuna Nagar at Jagadhri dismissed the application under Order 39 Rule 1 & 2 CPC so filed by the plaintiffs, seeking ad-interim injunction.

The plaintiffs felt aggrieved by that order and challenged it

before District Judge, Yamuna Nagar at Jagadhri. Their appeal was assigned to Addl. District Judge, Yamuna Nagar at Jagadhri, who vide judgment dated 29.08.2019 had dismissed the appeal, upholding the order passed by the trial Court.

Still feeling aggrieved, the plaintiffs have knocked at the door of this Court, by way of filing the present revision petition.

I have heard learned counsel for the revisionists besides going through the record.

Admittedly, the suit land in which the construction of Ambedkar Bhawan is being raised belongs to village Gram Panchayat. The plaintiffs have no right or concern with the said land. They are objecting to the construction simply for the reason that they are residents of the village. They cannot restrain the owner of the land from dealing with it in any manner, it feels like, of course, as per law and in accordance with rules and regulations. In case, the plaintiffs have got any grouse with regard to functioning of the Gram Panchayat, they can submit complaint in that regard to the appropriate authorities, exercising supervision and control over the Gram Panchayat but they are not entitled to any ad-interim injunction. Both the Courts below on thorough consideration of the matter have rejected the prayer for grant of ad-interim injunction put forward by the plaintiffs. The orders are quite detailed, well reasoned and do not suffer from any illegality, infirmity and are certainly not perverse. There is no error apparent on

the face of such orders. Therefore, no ground to upset the orders passed by the Courts below while exercising revisional jurisdiction is made out. The revision petition being devoid of any merit stands dismissed.

17.09.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No