

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

CR-773-2021 (O&M)

Date of Decision:31.03.2021

M/s Shree Krishna Papers Mills & Industries Limited

...Petitioner

Versus

Estate Manager-II, HSIIDC and others

....Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present: - Mr.Suman Jain, Advocate, and
Mr.Shubham Jain, Advocate,
for the petitioner.

ARUN MONGA, J. (ORAL)

Grievance of the petitioner herein is qua non-grant of an *ad interim* injunction, vide order dated 18.3.2021 (Annexure P-15), while adjourning the application under Order 39 Rules 1 & 2 for 08.04.2021, to await the filing of the written statement before hearing the arguments thereof on the next date.

2. Learned counsel for the petitioner strenuously argues that taking advantage of non-grant of injunction, private respondents No.3 to 5 are carrying out with the construction activity in full swing on the land encroached by them, which is otherwise in the exclusive ownership and possession of the petitioner, having been allotted by HSIIDC/respondent No.1.

3. Be that as it may, the instant petition seems to have been filed prematurely. The same is accordingly disposed of with an observation that any construction by respondents No.3 to 5, as alleged by the learned counsel for the petitioner, shall be at their sole risk and responsibility. In case the pending application under Order 39 Rules 1 & 2 is decided against them, they shall be

equally responsible to remove the construction, at their own cost and risk,
subject of course to the final outcome of the civil suit.

31.03.2021

Vivek

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No

(ARUN MONGA)
JUDGE