

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

CWP-11021-2021(O&M)

Date of decision: 29.06.2021

Charanjeet Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Vaibhav Sehgal, Advocate, for the petitioner

Ms. Kanica Sachdeva, AAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

The petitioner claims to be the owner in possession of the building constructed in Street no.5, Upkar Nagar, Ludhiana. He apprehends demolition of the building at the hands of Municipal Corporation, Ludhiana. He further claims that in a civil suit for grant of decree of permanent injunction filed against the Municipal Corporation, Ludhiana, the civil court has already passed a detailed judgment on 15.12.2016 while decreeing the suit. The petitioner claims that inspite of the aforesaid decree, the respondents are bent upon to use force.

Once the petitioner himself claims that there is a decree in his favour, the petitioner can either file a fresh suit or file an application under Order 21 Rule 32 CPC.

Keeping in view the aforesaid facts, the petitioner is relegated to the alternative remedy.

Disposed of.

All the pending miscellaneous applications, if any, also stand disposed of.

29.06.2021

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Whether speaking/reasoned Yes / No

Whether Reportable Yes / No

(ANIL KSHETARPAL)
JUDGE